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LEGISLATIVE HISTORY

Public Law 804
S. 2572

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INDEX AND SUMMARY OF S. 2572

July 18, 1955	Sen. Ellender introduced S. 2572 which was referred to the Senate Committee on Agriculture and Forestry. Print of bill as introduced.
June 6, 1956	Senate committee voted to report S. 2572.
June 7, 1956	Senate committee reported S. 2572 without amendment. Senate Report No. 2152. Print of bill and report.
June 19, 1956	Senate passed S. 2572 with amendment.
June 20, 1956	S. 2572 was referred to the House Committee on Agriculture. Print of bill as referred.
June 21, 1956	Rep. Teague, Calif., introduced H. R. 11895, which was referred to the House Committee on Agriculture.
July 2, 1956	House subcommittee ordered reported to the full committee H. R. 11895.
July 17, 1956	House committee reported S. 2572 without amendment. House Report No. 2747. Print of bill and report.
July 19, 1956	House passed S. 2572 without amendment.
July 26, 1956	Approved: Public Law 804, 84th Cong.

Hearing: House Committee on Agriculture,
June 26, 1956, on H. R. 11895 and
S. 2572. Serial LLL.

INTERCHANGE OF FOREST AND DEFENSE LANDS. Authorizes the Department of Defense, when mutually agreed upon and when in the public interest, to exchange lands or interests in lands under the administration of their respective departments. Lands received in exchange by the Secretary of Agriculture would become national forest lands subject to the Weeks law. Lands received by a military department would thereafter be subject only to the laws applicable to other lands under control of the Department of Defense. Provides that no such interchange of land shall become effective until 45 days after submission to Congress by the respective Secretaries of notice of intention to make the interchange.

S. 2572

OF THE SENATE OF THE UNITED STATES

1917

By *COMMISSIONER OF THE GENERAL LAND OFFICE*
FOR THE COMMISSIONER OF THE GENERAL LAND OFFICE

A BILL

To amend the provisions of law relating to the
of the General Land Office, and to provide for the
of the General Land Office, and to provide for the

1. To amend the provisions of law relating to the
2. To amend the provisions of law relating to the
3. To amend the provisions of law relating to the

84TH CONGRESS
1ST SESSION

S. 2572

IN THE SENATE OF THE UNITED STATES

JULY 18, 1955

Mr. ELLENDER (by request) introduced the following bill ; which was read twice
and referred to the Committee on Agriculture and Forestry

A BILL

To authorize the interchange of lands between the Department
of Agriculture and military departments of the Department
of Defense, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture with respect to national for-
4 est lands and the Secretary of a military department with re-
5 spect to lands under the control of the military department
6 which lie within or adjacent to the exterior boundaries of a
7 national forest are authorized, subject to any applicable pro-
8 visions of the Federal Property and Administrative Services
9 Act of 1949, as amended, to interchange such lands, or any
10 part thereof, without reimbursement or transfer of funds

1 whenever they shall determine that such interchange will
2 facilitate land management and will provide maximum use
3 thereof for authorized purposes.

4 SEC. 2. Any national forest lands which are transferred
5 to a military department in accordance with this Act shall
6 be thereafter subject only to the laws applicable to other
7 lands within the military installation or other public works
8 project for which such lands are required and any lands
9 which are transferred to the Department of Agriculture in
10 accordance with this Act shall become subject to the laws
11 applicable to lands acquired under the Act of March 1, 1911
12 (36 Stat. 961), as amended.

A BILL

To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

By Mr. ELLENDER

JULY 18, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 7, 1956
For actions of June 6, 1956
84th-2nd, No. 93

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HIGHLIGHTS: Senate confirmed nomination of Seaton as Interior Secretary. Senate passed independent offices and general government matters appropriation bills. Senate committees reported bills to extend emergency farm-loan law, merge intermediate credit banks and poc's, and continue export control. Senate committee voted to report bills to repeal authority of FPMC to issue bonds, authorize feeding of CCC grain to waterfowl, approve an interstate forest fire compact, authorize land purchase in Cache Forest, require census data by economic class of farm, amend penal provision of CCC Charter Act, extend date for tobacco quota, authorize land exchanges with Defense Dept., eliminate requirement for quarantine notice, continue ACP, pay expenses of soil-water conservation advisory committee. Senate committee approved procedures to select site of animal disease laboratory, also 5 watershed reports. Senate passed rural libraries bill. House debated mutual security bill. Sen. Carlson suggested location of animal disease laboratory at Manhattan, Kans. Sen. (continued on page 5)

SENATE

1. NOMINATION of Frederick A. Seaton, to be Secretary of the Interior, was confirmed. p. 8632
2. GENERAL GOVERNMENT MATTERS APPROPRIATION BILL, 1957. Passed as reported this bill, H. R. 9536. Senate conferees were appointed. p. 8653
3. INDEPENDENT OFFICES APPROPRIATION BILL, 1957. Passed with amendments this bill, H. R. 9739. Senate conferees were appointed. p. 8653
Agreed to an amendment by Sen. Young to increase from \$100,000 to \$200,000 the amount for a survey of records management activities (p. 8659). Agreed to an amendment by Sen. Humphrey to strike out the prohibition against FTC statistical analyses of the consumer's dollar (p. 8661). Sen. Humphrey commended the work of the National Science Foundation (p. 8661).

4. FARM LOANS. The Agriculture and Forestry Committee reported with amendment

S. 3559, to amend the act of Aug. 31, 1954, so as to extend the availability of emergency credit to farmers and stockmen (S. Rept. 2144). p. 8634

This Committee also reported with amendments H. R. 10285, to merge production credit corporations in Federal intermediate credit banks, to provide for retirement of Government capital in Federal intermediate credit banks, and to provide for supervision of production credit associations (S. Rept. 2145). p. 8634

This Committee also voted to report S. 2530, to repeal the authority of the Federal Farm Mortgage Corporation to issue bonds. p. D576

5. EXPORT CONTROL. The Banking and Currency Committee reported with amendments H. R. 9052, to continue the Export Control Act for an additional 2 years (S. Rept. 2147). p. 8634

6. AGRICULTURE AND FORESTRY COMMITTEE voted to report the following bills: ~~S. 2732~~, to authorize the Interior Department to feed CCC grain to waterfowl; S. 3032, approving the Middle Atlantic Interstate Forest Fire Protection Compact; S. 3132, providing for purchase of lands in the Cache National Forest; S. 3145, to require the Census Bureau to develop farm income data by economic class of farm; S. 3669, to amend the penal provision of the CCC Charter Act; S. 3261, to extend from Dec. 1 to Feb. 1 the date by which the national marketing quota for certain types of tobacco must be announced; S. 2572, authorizing exchange of forest lands, etc., with the Defense Department; S. 2585, to authorize exchange of a land tract at the Beltsville Agricultural Research Center; S. 3046, to eliminate the requirement that the Secretary of Agriculture notify officials of carriers of livestock of the existence of a contagion quarantine; S. 3120, to continue Federal administration of the Agricultural Conservation Program; S. 3314, authorizing payment of expenses of the Advisory Committee on Soil and Water Conservation; and S. 3344, authorizing conveyance to Alaska of certain lands in Sitka known as Baranof Castle site. The committee also approved (1) procedures outlined by USDA to set up an advisory committee to select a site for additional animal research facilities at a location other than Beltsville, and (2) the following 5 watershed projects: Little Wewoka-Graves Creek, Okla.; Big Wewoka, Okla.; Cummins Creek, Tex.; Upper Brushy Creek, Tex.; and Lower Brushy Creek, Tex. p. D576

7. PERSONNEL. The Post Office and Civil Service Committee reported without amendment S. 3681, to increase to \$5,000 the total amount a person may earn when holding more than one Federal job, without coming under the restriction of the dual compensation law (S. Rept. 2143). p. 8634

8. ANIMAL RESEARCH. Sen. Carlson suggested location of the animal disease laboratory at Manhattan, Kans. p. 8639

9. WHEAT. Sen. Carlson discussed the results of a survey by the Uhlmann Grain Co. regarding the 2-price wheat plan. p. 8639

10. POULTRY INSPECTION. Sen. Morse spoke in favor of legislation to require poultry inspection. p. 8642

11. TRANSPORTATION. Sen. Morse recommended that ICC hold a hearing on the freight-car shortage. p. 8670

Sen. Humphrey requested ICC to do what it can to alleviate the box-car shortage. p. 8677

12. FOREIGN AID. Sen. Humphrey inserted an article by Max Millikan and Walter Rostow recommending revamping of the foreign aid program. p. 8674

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 8, 1956
For actions of June 7, 1956
84th-2nd, No. 94

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HIGHLIGHTS: House debated foreign aid bill. House concurred in Senate amendments to general Government matters appropriation bill. Ready for President. House Committee submitted report on REA and Interior power policies. Senate committee reported bills to authorize USDA land exchanges with Defense, continue ACP, pay expenses of soil-water conservation advisory committee, authorize feeding of CCC grain to waterfowl, amend penal provision of CCC Charter Act, repeal FPMC authority to issue bonds, approve inter state forest fire compact, eliminate requirement for notice of animal quarantine, require census data on class of farm, change date for proclaiming tobacco quota. Senate received nomination of Hamil to REA. Senate committee ordered reported bills to improve budgeting and accounting methods and procedures and to facilitate payment of obligations.

HOUSE

1. FOREIGN AID. Continued debate on H. R. 11356, the mutual security authorization bill. p. 8810
2. APPROPRIATIONS. Concurred in the Senate amendments to H. R. 9536, the general Government matters appropriation bill for 1957. This bill will now be sent to the President. p. 8810
House conferees were appointed on H. R. 10003, the D. C. appropriation bill for 1957. p. 8854 (Senate conferees were appointed June 5.)
3. FOREIGN TRADE. Both Houses received from the President a report on actions under the Reciprocal Trade Agreements Act (H. Doc. 421); to House Ways and Means Committee and Senate Finance Committee. pp. 8755, 8856
Rep. Byrd spoke in opposition to the Organization for Trade Cooperation. p. 8857
4. ELECTRIFICATION. The Government Operations Committee submitted a report on the

effect of Interior Department and REA policies on public-power preferred customers (H. Rept. 2279). p. 8862

5. WATER POLLUTION; POSTAL RATES. The Rules Committee reported resolutions for consideration of H. R. 11380, to readjust postal rates, and H. R. 9540, to extend the Water Pollution Control Act. p. 8857
6. PUBLIC LANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 5712, to provide that the U. S. hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo Grant and a small area of public domain adjacent thereto (H. Rept. 2281). p. 8862

SENATE

7. AGRICULTURE AND FORESTRY Committee reported the following bills: (p. 8757)
 - S. 2572, to authorize the interchange of lands between USDA and the Defense Department; without amendment (S. Rept. 2152).
 - S. 2585, to authorize exchange of a land tract at the Beltsville Research Center (S. Rept. 2155); without amendment.
 - S. 3120, to continue for 2 additional years Federal administration of the Agricultural Conservation Program; without amendment (S. Rept. 2154).
 - S. 3314, to authorize payment of expenses of the Advisory Committee on Soil and Water Conservation; without amendment (S. Rept. 2153).
 - S. 2732, to authorize the Interior Department to obtain CCC grain for feeding to waterfowl to prevent depredations; with amendment (S. Rept. 2156).
 - S. 3669, to amend the penal provision of the CCC Charter Act (S. Rept. 2157); with amendment.
 - S. 2530, to repeal the authority of the Federal Farm Mortgage Corporation to issue bonds; with amendments (S. Rept. 2158).
 - S. 3032, approving the Middle Atlantic interstate forest fire protection compact; with amendments (S. Rept. 2159).
 - S. 3046, to eliminate the requirement for certain notices of animal quarantine; with amendments (S. Rept. 2160).
 - S. 3145, to require the Census Bureau to develop farm income data by economic class of farm (S. Rept. 2161); with amendments.
 - S. 3261, to change the date by which certain tobacco quotas must be announced each year; with amendment (S. Rept. 2151).
 - S. 3344, to authorize USDA to convey to Alaska certain lands in Sitka known as Baranof Castle site; without amendment (S. Rept. 2150).
8. GOVERNMENT OPERATIONS Committee ordered reported H. R. 7227, to provide for donation of surplus property for civil defense purposes; H. R. 7855, extending temporary authority of GSA to dispose of surplus property by negotiation to July 31, 1958; S. 3362, to simplify accounting and facilitate the payment of obligations; S. 3897, to improve governmental budgeting and accounting methods and procedures; H. R. 10417, to amend the Federal Register Act regarding public proclamations in a period following an attack upon the U. S.; S. 3843, to adjust the application of Sec. 322 of the Economy Act of 1932 to premises leased for Government purposes. p. D587
9. WATER DEVELOPMENT. Sen. Watkins inserted and commended an address by Reclamation Commissioner Dexheimer on the future of multiple-purpose river development. p. 8803
10. NOMINATION. Sen. Watkins commended the nomination of Fred A. Seaton to be Secretary of the Interior and inserted newspaper editorials on this subject. p. 8806

INTERCHANGE OF MILITARY AND FOREST LANDS

JUNE 7 (legislative day, JUNE 4), 1956.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 2572]

The Committee on Agriculture and Forestry to whom was referred the bill (S. 2572) to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill, which was requested by the Department of Agriculture, authorizes the interchange of national forest lands with military department lands within or adjacent to national forests.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D. C., July 13, 1955.

THE PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: Enclosed herewith for the consideration of the Congress is a suggested draft of a bill to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

The proposed bill would authorize the Secretary of Agriculture and the Secretary of a military department of the Department of Defense, when mutually agreed upon and when in the public interest, to exchange lands or interests in lands under the administration of their respective departments. Lands received in exchange by the Secretary of Agriculture would become national forest lands, subject to the laws applicable to lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended. Lands received in exchange by a military department would thereafter be subject only to the laws applicable to other lands within the military installation or other public works project for which the lands are required.

At present, authority for the interchange of lands between these Departments is entirely inadequate. The Department of Defense in its flood control, reservoir construction, and military activities sometimes administers land partly or wholly within national forest boundaries and often intermingled with land of national forest status. Occasionally such land is no longer needed by the Defense Department and it may be administered more efficiently and economically by transfer to national forest status and Department of Agriculture administration. On the other hand, the Department of Agriculture in its national forests sometimes controls land which is more valuable for national defense activities.

Authority to exchange or transfer federally owned land administered by these two Departments will provide improved service to the public through facilitating increased efficiency of administration and protection, and eliminating or decreasing undesirable duplication and intermingling of jurisdiction. Three cases, illustrating where the proposed authority is needed, are now pending and may be set forth in brief as follows:

✓ 1. Clark Hill Reservoir project within the Sumter National Forest, S. C. Transfer to Defense 1,758 acres of national forest land flooded by a newly created Army reservoir. Transfer to Agriculture 2,039 acres of land, which is intermingled with national forest land, most valuable for national forest purposes and which can be administered more economically by the Department of Agriculture.

✓ 2. Hunter-Liggett Military Reservation, Los Padres National Forest, Calif. Transfer to the Army 39,000 acres of national forest land needed by the Army for military purposes as part of the Hunter-Liggett Military Reservation. Transfer to Agriculture about 30,000 acres of Hunter-Liggett land within or adjacent to the Los Padres National Forest and most valuable for national forest purposes.

✓ 3. Blakely Mountain Reservoir, within the Ouachita National Forest, Ark. Lands acquired by the Department of Defense and the Department of Agriculture within this area are now badly intermingled. A boundary line around the reservoir satisfactory to both Departments has been discussed and could be agreed upon. On one side of this line all national forest land would be transferred to Defense for use by the Army in connection with its reservoir operation. On the other side, all Defense Department land would be transferred to national forest status and administered by Agriculture.

The draft bill would provide authorization only and its application would be dependent on concurrence by the Secretaries of Agriculture and of the military department concerned. Activation of the legislation would not increase the federally owned acreage, but would merely transfer jurisdiction between Federal departments when such action would provide increased economy and efficiency of administration.

The proposed legislation has been discussed with the Department of Defense and it is believed would be supported by that Department.

The Bureau of the Budget advises that there is no objection to the submission of the proposed legislation to the Congress for its consideration.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

Calendar No. 2175

84TH CONGRESS
2D SESSION

S. 2572

[Report No. 2152]

IN THE SENATE OF THE UNITED STATES

JULY 18, 1955

Mr. ELLENDER (by request) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JUNE 7 (legislative day, JUNE 4), 1956

Reported by Mr. ELLENDER, without amendment

A BILL

To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture with respect to national for-
4 est lands and the Secretary of a military department with re-
5 spect to lands under the control of the military department
6 which lie within or adjacent to the exterior boundaries of a
7 national forest are authorized, subject to any applicable pro-
8 visions of the Federal Property and Administrative Services
9 Act of 1949, as amended, to interchange such lands, or any
10 part thereof, without reimbursement or transfer of funds

1 whenever they shall determine that such interchange will
2 facilitate land management and will provide maximum use
3 thereof for authorized purposes.

4 SEC. 2. Any national forest lands which are transferred
5 to a military department in accordance with this Act shall
6 be thereafter subject only to the laws applicable to other
7 lands within the military installation or other public works
8 project for which such lands are required and any lands
9 which are transferred to the Department of Agriculture in
10 accordance with this Act shall become subject to the laws
11 applicable to lands acquired under the Act of March 1, 1911
12 (36 Stat. 961), as amended.

A BILL

To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

By Mr. EILENDER

JULY 18, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

JUNE 7 (legislative day, JUNE 4), 1956

Reported without amendment

SENATE S. 2572

[Insert for Page]

A BILL

to amend the provisions of law relating to the Board of Agriculture and Forestry, to provide for the appointment of members of the Board of Agriculture and Forestry, and for other purposes.

FOR THE PURPOSES

OF THIS ACT

SECTION 1. The Board of Agriculture and Forestry shall consist of seven members, to be appointed by the Governor, and shall hold office for a term of four years.

SECTION 2. The Board of Agriculture and Forestry shall have the honor of the rank of Major-General in the Army of the United States.

June 19, 1956

The committee also reported with amendments S. 3362, to simplify accounting and facilitate the payment of obligations (S. Rept. 2266). p. 9502

11. INTERIOR AND INSULAR AFFAIRS COMMITTEE reported the following bills: p. 9502
 S. 3042, without amendment, to amend the Mineral Leasing Act of February 25, 1920, to promote the development of phosphate on the public domain (S. Rept. 2272);
 S. 1333, with amendments, to authorize the construction, operation and maintenance of the Hells Canyon Dam between Ida, and Ore. (S. Rept. 2275);
 S. 3512, without amendment, to permit under certain circumstances desert land entries on disconnected tracts of lands (S. Rept. 2271);
 S. 3743, with amendment, to add certain lands of the Lassen National Forest to the Lassen Volcanic National Park, Calif. (S. Rept. 2264).
12. PROPERTY. The Government Operations Committee reported with amendments H. R. 7227, to authorize the disposal of surplus property for civil defense purposes (S. Rept. 2267). p. 9502
13. FOREIGN AID. The Foreign Relations Committee reported with amendment H. R. 11356, the mutual security program for 1957 (S. Rept. 2273). p. 9502
14. FORESTRY. Passed with amendment S. 2572, to authorize the interchange of national forest lands with military department lands within or adjacent to the national forests. Agreed to an amendment by Sen. Ellender providing that such interchanges shall not become effective until 45 days after submission to the Congress by the respective Secretaries of notice of intention to make the interchange. p. 9509
15. FORESTRY. The Interior and Insular Affairs Committee ordered reported without amendment S. J. Res. 139, commemorating the 50th anniversary of the first conference of State governors for the protection of natural resources of the U. S. p. D645
16. GOVERNMENT SECURITY. Received from the Commission on Government Security a proposed bill to extend the time for the Commission to file its final report; to Government Operations Committee. p. 9497
17. PUBLIC POWER. Sen. Langer inserted a number of resolutions of the American Public Power Assoc. relating to various aspects of public power policies. p. 9497
18. DROUGHT RELIEF. Sen. Symington urged emergency drought relief for Missouri, and criticized this Department for delay in furnishing such relief. p. 9506

ITEMS IN APPENDIX

19. INFORMATION. Sen. Kennedy inserted two newspaper articles favoring the creation of a National Library of Medicine to "promote the progress of medicine and to advance the national health and welfare." p. A4847, A4851
20. FOREIGN AID. Sen. Langer inserted a newspaper article, "House Revolt on Foreign Aid--Senate Also Expected to Back Slash Despite Eisenhower's and Dulles' Pleas." p. A4851
 Sen. Jenner inserted an editorial opposing foreign aid and saying "...it should not be cut by \$1 billion, as proposed by the House Foreign Affairs

Committee. It should be completely abolished." p. A4853

Rep. Smith, Wis., inserted an editorial which quoted Sen. Ellender as saying "the American people are sour on foreign aid." p. A4862

21. COTTON. Rep. Hagen spoke in favor of his bill H. R. 11478 which would provide for a program to encourage the utilization of domestic fiber cotton, and inserted a newspaper article in favor of this proposed legislation. p. A4855
22. FAMILY FARM. Sen. Jenner inserted a newspaper article, "Jenner Would Help Family Farmers," and stated that "this editorial vigorously supports our historic national policy of strengthening the family farm, as the basis of our political, economic, and social system"; and an editorial, "Foreign Aid Contributes to Farmers' Plight." p. A4857
23. LANDS. Extension of remarks of Rep. Engle in support of a bill to require the military departments to get approval from Congress for any withdrawal of public lands in excess of 5,000 acres, and his insertion of a newspaper article, "Landgrabbing Row Has Services Fuming." p. A4875
24. DROUGHT RELIEF. Rep. Hull discussed the drought crisis in Mo., criticized this Department's drought relief program and stated that "...upon the basis of a casual and partial investigation by a lone subordinate, the Department of Agriculture concluded that the situation was not sufficiently acute to warrant relief," and inserted several newspaper articles on this subject. p. A4878

BILLS INTRODUCED

25. SOIL CONSERVATION. H. R. 11831, by Rep. Cooley and H. R. 11833, by Rep. Hope, to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938 to provide for a Great Plains conservation program; to Agriculture Committee.
26. PERSONNEL. H. R. 11837, by Rep. McCarthy, to amend the Hatch Act to permit all officers and employees of the Government to exercise the full responsibility of citizenship and to take an active part in the political life of the United States; to House Administration Committee.
H. R. 11841, by Rep. Rees, to protect the security of the United States by preventing the employment by the United States of persons found to be disloyal to the United States; to Post Office and Civil Service Committee. Remarks of author, p. 9543, A4866
27. WILDLIFE; CHEMICALS. H. R. 11839, by Rep. Metcalf, to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, and fungicides upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources following spraying, and to provide basic data on the various chemical controls so that forests, croplands, and marshes can be sprayed with minimum losses of fish and wildlife; to Merchant Marine and Fisheries Committee. Remarks of author, p. A4873
28. SMALL BUSINESS. H. R. 11846, by Rep. Roosevelt, to amend section 3 of the Clayton Act to free those in commerce from restraints of trade and to allow small business men freedom of choice in the conduct of their respective businesses as independent enterprises; to Judiciary Committee. Remarks of author, p. A4872
29. PERSONNEL. S. 4076, by Sen. McClellan, to provide for the appointment of the chief legal officers of certain departments in the executive branch by the

The PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The question is on the passage of the bill.

The bill (S. 3365) was passed.

AMENDMENT OF JAPANESE-AMERICAN EVACUATION CLAIMS ACT

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 7763) to amend the Japanese-American Evacuation Claims Act of 1948, to expedite the final determination of the claims.

INTERCHANGE OF LAND BETWEEN CERTAIN GOVERNMENT DEPARTMENTS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2175, S. 2572.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2572) to authorize the interchange of land between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KNOWLAND. Mr. President, I shall not object to the consideration of the bill, but I have a couple of questions which I should like to raise after an explanation of the bill has been made.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ELLENDER. Mr. President, the pending measure was introduced by me at the request of the Department. It authorizes the interchange of national forest lands which are under the Department of Agriculture with military department lands within or adjacent to national forests. This will permit the most efficient use and administration of lands which are needed by, or intermingled with, other lands administered under the jurisdiction of the respective departments.

When the bill was called up the other day, the Republican calendar committee objected to its consideration. As I understand, the opposition was based on

the fact that if the bill were passed, Congress would lose its present authority to decide whether transfers of such lands could be made. In order to act upon this proposal, I consulted the Department of Agriculture. An amendment was suggested which may meet the approval of the Republican calendar committee. The amendment which I intend to propose is to insert on page 2, line 3, before the period, a colon, and the following: "Provided, That no such interchange of land shall become effective until 45 days, counting only days occurring before an irregular or special session of the Congress after submission to the Congress by the respective Secretaries of notice of intention to make the interchange."

Mr. KNOWLAND. Mr. President, I think that meets the point raised by the Republican calendar committee, which I think was a valid one, to keep control within the Congress, and to assure that due notice would be given.

I think the Senator's amendment would take care of the situation.

Mr. ELLENDER. Mr. President, I send my amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. On page 2, line 3, before the period, it is proposed to insert a colon and the following: "Provided, That no such interchange of land shall become effective until 45 days, counting only days occurring during an irregular or special session of the Congress, after submission to the Congress by the respective secretaries of notice of intention to make the interchange."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. ELLENDER].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2572) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of Agriculture with respect to national forest lands and the Secretary of a military department with respect to lands under the control of the military department which lie within or adjacent to the exterior boundaries of a national forest are authorized, subject to any applicable provisions of the Federal Property and Administrative Services Act of 1949, as amended, to interchange such lands, or any part thereof, without reimbursement or transfer of funds whenever they shall determine that such interchange will facilitate land management and will provide maximum use thereof for authorized purposes: *Provided, That* no such interchange of land shall become effective until 45 days, counting only days occurring during an irregular or special session of the Congress, after submission to the Congress by the respective Secretaries of notice of intention to make the interchange.

SEC. 2. Any national forest lands which are transferred to a military department in accordance with this act shall be thereafter subject only to the laws applicable to other lands within the military installation or other public works project for which such

lands are required and any lands which are transferred to the Department of Agriculture in accordance with this act shall become subject to the laws applicable to lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended.

AMENDMENT OF JAPANESE-AMERICAN EVACUATION CLAIMS ACT

Mr. JOHNSON of Texas. Mr. President, under the parliamentary situation, I assume the Presiding Officer will lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 7763) to amend the Japanese-American Evacuation Claims Act of 1948, as amended, to expedite the final determination of the claims, and for other purposes, which had been reported from the Committee on the Judiciary with amendments.

Mr. DIRKSEN. Mr. President, in 1948 provision was made for handling the claims of Japanese-American citizens who, under the War Powers Act, were evacuated from areas on the Pacific coast, and also in Milwaukee and in Alaska. Quite a number of claims were filed as a result of that act, and additional claims were filed when the act was amended from time to time. The Attorney General was given power to compromise claims up to \$2,500, and he had to adjudicate them.

The record will show that since 1948 some 24,064 claims had originally been filed, and under the action of the Attorney General, the number has now been reduced to 1,936. But we are in the unhappy position that the remaining claims are in excess of \$2,500. They range from \$6,800 to more than \$100,000, and aggregate \$53 million.

The pending bill was considered by the House of Representatives and passed in March. It was then considered by a subcommittee and by the full Judiciary Committee of the Senate. The committee suggests some modifications designed to give the Attorney General jurisdiction to compromise and settle claims involving not exceeding \$100,000. Claims in excess of that amount can either be handled by the Court of Claims or be submitted to the Congress.

It is provided that certain other claims shall be considered, including those filed by organizations, and claims which were mailed but not received within the time period set in the original act.

The bill has the concurrence of the Attorney General. It has passed the House, and I hope that with the safeguarding amendments it will be approved by the Senate.

In connection with this statement, not wishing to trespass on the time of the Senate, I ask unanimous consent that a statement which I have prepared be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR DIRKSEN

In urging approval of H. R. 7763, a bill to expedite the final determination of the re-

maining evacuation claims of Americans of Japanese ancestry, may I briefly explain the necessity and urgency for its enactment.

Fourteen years ago, in the spring of 1942, as a matter of military precaution, the Army evacuated without trial or hearing some 110,000 persons of Japanese ancestry, more than two-thirds of whom were citizens by birth while the others were resident aliens denied the privileges of naturalization by our laws, from their west coast homes and associations. None was charged with disloyalty or any criminal act against the United States; indeed, records of all the Federal investigative agencies reveal that there is not a single instance of espionage or sabotage against this country by a resident Japanese, citizens and aliens alike, before, during, and after December 7, 1941.

In this unprecedented mass movement, many lost everything they had; most lost substantially; and all suffered some economic loss, not to mention humiliation and physical hardships and illnesses.

80TH CONGRESS PASSED BASIC LAW

The 80th Congress, 8 years ago, enacted the basic Japanese American Evacuation Claims Act of 1948 authorizing the Attorney General to adjudicate certain claims of persons of Japanese ancestry which were a direct consequence of their military eviction.

In the 18-month period allowed to file claims, some 24,000 claims for almost \$130 million were timely filed with the Attorney General. But the adjudicative process proved so slow and cumbersome, as well as costly administratively, that the 82d Congress in 1951 approved a compromise settlement procedure under which the Attorney General was authorized to compromise and settle the smaller claims up to three-fourths the amount of the compensable items, if any, or \$2,500, whichever was less.

Under this compromise settlement procedure for smaller claims, a program which threatened to take decades was virtually completed by the end of fiscal year 1954. By that time, some 19,750 claims had been compromised and settled for some \$23 million, out of a total originally claimed of some \$63,700,000.

Today, in the main only the larger claims remain, almost 2,000 claims for a total claimed amount of more than \$53,000,000.

LOGICAL EXTENSION

The proposed legislation is the logical extension of the compromise settlement program for the smaller claims. Unless it is approved, it will take another decade or more to complete this program.

It authorizes the Attorney General to compromise and settle all claims in an amount not to exceed \$100,000. This limitation will allow the Attorney General to compromise and settle all but 69 of the remaining claims, and many of these 69 claims with an original claimed amount of over \$100,000 will probably be willing to accept the Attorney General's top limit or less if given the opportunity.

If the claimant is not satisfied with the compromise offer of the Attorney General, he may seek a judicial review or determination of his claim, both as to valuation and as to compensable terms, in the Court of Claims. This appeal to judicial review, incidentally, is not a part of existing law. In keeping with traditional American concepts of justice, we believe that such review should be provided in any claims program and, therefore, H. R. 7763 makes such appeals procedure applicable.

If the claim is for more than \$100,000, and the claimant is not satisfied with the Attorney General's compromise offer which may or may not be in that limited amount, he has recourse to the Court of Claims.

In this connection, it should be made clear that, as with other litigation before the Court of Claims, the Attorney General and

the claimant may agree to any settlement of the claim, subject of course to approval of the Court of Claims. In other words, the amendment offered by the Committee on the Judiciary does not in any way change or alter the right of the Attorney General to settle any claim while it is in litigation if he feels that it is in the interests of the United States to do so.

Moreover, the Court of Claims is not restricted to awarding an amount not in excess of the \$100,000 authorized for the Attorney General in the compromise settlement procedure. If any claimant can demonstrate to the Court of Claims that, under the law, he is entitled to more than the \$100,000, there is nothing in this legislation to prohibit the court from making such an award. Indeed, in the 2 or 3 claims totalling more than \$1 million each, if the claimant can prove his claim to the claimed amount, the court can make an award without regard to any limitation as to total amount.

CLAIMS VALIDATED

In addition to this compromise settlement authority, with a Court of Claims alternative, H. R. 7763 validates three types of claims presently not considered compensable.

Profit and nonprofit corporations, the majority of whose stock or members on December 7, 1941, were persons of Japanese ancestry are declared to be eligible claimants. In the light of common business practices, where corporate entities are recognized as legal personages, we believe that this claims program should take this traditional concept into consideration.

West coast internees who suffered property losses as a consequence of the evacuation, and not of their internment, are also recognized as eligible claimants. In this connection, it should be made clear that other internees, including those of Japanese ancestry residing outside of the evacuated areas, were able to carry on their businesses and to maintain their homes even though they were interned, because their families and friends were able to carry on their activities in their behalf. This was not true in the case of west coast internees from the evacuated areas since their families and their friends of Japanese ancestry were subsequently removed and, therefore, not able to continue the operations on behalf of these internees. It is clear that no disloyal person will be compensated, however, because all of the so-called dangerous internees were expatriated or deported to Japan during and after the war and are not in this country at this time.

Finally, some 75 claims totaling some \$150,000 which were postmarked prior to the January 3, 1950, deadline but were received after that bar date by the Attorney General in Washington are to be considered as timely filed within the meaning of the act.

Perhaps it should be pointed out that the House Committee on the Judiciary eliminated certain provisions to H. R. 7763 which would have required the Attorney General to be more generous and liberal in his evaluation of certain kinds of losses, such as conservation and management expenses, crop losses, and rental values, in the interests of securing expediting legislation this session. In respect to these items, which constitute a substantial part of many of the remaining claims, it is clear that the Attorney General will continue to evaluate the extent of the losses suffered in terms of his present interpretations and that he will not refuse to consider these items of loss as valid ones.

CHICAGO JAPANESE-AMERICANS

After the evacuation most of the Japanese-Americans resettled in midwestern, southern, and eastern communities outside the western defense command. As a matter of record, more Japanese-Americans resettled in the city of Chicago than in any other community in the Nation and even today the second largest group of Americans of Japanese ancestry continue to reside in Chicago.

These Japanese-Americans have contributed much to Chicago and to the State of Illinois. The Chicago chapter of the Japanese American Citizens League is one of the more active civic organizations in my State.

It is, therefore, from personal experience with these evacuated Japanese Americans who have found new homes, new friends, new opportunities, and new hopes in Illinois that I, as a member of the Committee on the Judiciary to which H. R. 7763 was referred, urge my colleagues to approve this vital and meritorious legislation which would help in part to mitigate the wartime property losses suffered by one loyal segment of our population.

The PRESIDING OFFICER. The committee amendments will be stated.

The amendments of the Committee on the Judiciary were, on page 1, line 8, after the word "award", to insert "in an amount not to exceed \$100,000"; and on page 5, line 2, after the word "award", to insert "in an amount not to exceed \$100,000."

The amendments were agreed to.

Mr. MAGNUSON. Mr. President, I should like to add a word or two to what the Senator from Illinois has stated concerning the bill.

It is quite important, particularly to those of us on the Pacific coast. After the attack on Pearl Harbor many Japanese were taken from their homes. I think it turned out that we made a mistake, but I can understand that the better part of caution was to take action. They were taken to various parts of the country, and located in concentration centers. Many were moved west of the Rocky Mountains. Chicago received a great number of these people, who are still living there.

It developed that no question of sabotage was involved, and there was no disloyalty on the part of these people. I do not know of a single case of disloyalty. They were disrupted. Many of them have returned to the places where they formerly lived. They are hopeful that they can reestablish themselves.

Many of them did not know how to file their claims. They did not have lawyers. In some cases, there was a great deal of damage done to their small homes. Vandalism occurred. Windows were broken, and the land deteriorated.

We have been working 6 or 7 years, trying to get these claims cleared up. The bill is not exactly what we wanted, but it will go a long way to give the Attorney General authority to proceed to clear up the claims.

The bill has a long history. I think I introduced the original bill when I was a member of the Judiciary Committee. Former Senator Cooper, of Kentucky, was also a member of the committee.

I hope we can report to the next Congress, or, at least, before the session next year is concluded, that some success has been achieved in clearing up the remainder of the claims.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which I have prepared on the subject, and also a portion of the report of the Judiciary Committee.

There being no objection, the statement and a portion of the committee

INTERCHANGE OF LANDS

HEARING
BEFORE THE
SUBCOMMITTEE ON FORESTS
OF THE
COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH CONGRESS
SECOND SESSION
ON
H. R. 11895 and S. 2572



JUNE 26, 1956

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INTERCHANGE OF LANDS

TUESDAY, JUNE 26, 1956

HOUSE OF REPRESENTATIVES,
FORESTRY SUBCOMMITTEE OF THE,
COMMITTEE ON AGRICULTURE,
Washington, D. C.

The subcommittee met, pursuant to call, at 11:45 a. m., in room 1310, New House Office Building, Hon. George M. Grant (chairman) presiding.

Mr. GRANT. The subcommittee will come to order.

This is a hearing on S. 2572, which has passed the Senate, and on H. R. 11895, a bill which Mr. Teague, of California, has introduced, to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense.

The bills will be inserted in the record at this point.

(The bills, S. 2572 and H. R. 11895, are as follows:)

[H. R. 11895, 84th Cong., 2d sess.]

A BILL To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture with respect to national forest lands and the Secretary of a military department with respect to lands under the control of the military department which lie within or adjacent to the exterior boundaries of a national forest are authorized, subject to any applicable provisions of the Federal Property and Administrative Services Act of 1949, as amended, to interchange such lands, or any part thereof, without reimbursement or transfer of funds whenever they shall determine that such interchange will facilitate land management and will provide maximum use thereof for authorized purposes: *Provided,* That no such interchange of land shall become effective until forty-five days, counting only days occurring during any regular or special session of the Congress, after submission to the Congress by the respective Secretaries of notice of intention to make the interchange.

Sec. 2. Any national forest lands which are transferred to a military department in accordance with this Act shall be thereafter subject only to the laws applicable to other lands within the military installation or other public works project for which such lands are required and any lands which are transferred to the Department of Agriculture in accordance with this Act shall become subject to the laws applicable to lands acquired under the Act of March 1, 1911 (36 Stat. 961), as amended.

[S. 2572, 84th Cong., 2d sess.]

AN ACT To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture with respect to national forest lands and the Secretary of a military department with respect to lands under the control of the military department which lie within or adjacent to the exterior boundaries of a national forest are authorized, subject to any

applicable provisions of the Federal Property and Administrative Services Act of 1949, as amended, to interchange such lands, or any part thereof, without reimbursement or transfer of funds whenever they shall determine that such interchange will facilitate land management and will provide maximum use thereof for authorized purposes: *Provided*, That no such interchange of lands shall become effective until forty-five days (counting only days occurring during any regular or special session of the Congress) after the submission to the Congress by the respective Secretaries of notice of intention to make the interchange.

SEC. 2. Any national forest lands which are transferred to a military department in accordance with this Act shall be thereafter subject only to the laws applicable to other lands within the military installation or other public-works project for which such lands are required and any lands which are transferred to the Department of Agriculture in accordance with this Act shall become subject to the laws applicable to lands acquired under the Act of March 1, 1911 (36 Stat. 961), as amended.

Passed the Senate June 19, 1956.

Attest:

FELTON M. JOHNSTON, *Secretary*.

Mr. GRANT. We have as a witness from the Department Mr. Edward Crafts, Assistant Chief of the Forest Service.

Mr. Crafts, we are certainly glad to hear from you at this time as to any comment you might make on this bill.

STATEMENT OF EDWARD C. CRAFTS, ASSISTANT CHIEF, FOREST SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. CRAFTS. Thank you, Mr. Grant.

I have no prepared statement on this bill. This bill, in slightly different form than you now have it, was on July 13, 1955, transmitted to the Speaker of the House and the President of the Senate as an administration measure. It was never introduced in the House at that time but was introduced in the Senate by Senator Ellender, and in due course the Senate committee reported the bill favorably. It was amended on the Senate floor in a way that I will describe in a moment, and passed. The bill which Mr. Teague introduced on June 21 of this year is identical to the bill as passed by the Senate. It includes the amendment that was put in on the Senate floor.

What this bill does is to authorize the Secretary of Agriculture and the Secretary of the military departments concerned, when they mutually agree, to exchange national-forest lands for military lands within or adjacent to national-forest boundaries. There is no transfer of funds involved, there is no change in Federal acreage involved. It is an interchange of jurisdiction over Federal lands.

There are a number of specific cases where this interchange is desirable, and there is not available at the present time legislative authority to make these interchanges. The Department's report, submitting the bill a year ago, is available in the Senate committee report and it cites three specific examples of where authority of this sort is needed and would be applied.

One is in connection with the Los Padres National Forest in California and the Hunter Liggett Military Reservation where, under the present situation, the Army is using some 30 or 40 thousand acres of national-forest land for a shooting range and it is thus closed and not open to the public. On the other hand, the Army is not using some of the military reservation lands along the Pacific coast.

This bill, if enacted, would enable the Secretary of Agriculture to transfer to the Army about 39,000 acres of national-forest land and

the Secretary of the Army could transfer to the Secretary of Agriculture, about 30,000 acres of lands along the Pacific coast that are now in the military reservation. These would become national forest lands and they are suitable for recreational use.

We have another situation down on the Ouachita National Forest in Arkansas in connection with the Blakely Mountain Reservoir where the reservoir was constructed by the Corps of Engineers under their flood-control authority. They acquired substantial acreages of private land prior to construction of the reservoir.

We now have an intermingled ownership pattern, which I could show you on a map which I have here, of national-forest lands and the Corps of Engineers lands all mixed up.

The proposal is to solidify through exchange and give the military department all of the Federal lands immediately around the reservoir. The national-forest lands would be solidified in back of a line of demarcation between the two.

We have essentially a similar situation in connection with the Clark Hill Reservoir project within the Sumter National Forest in South Carolina. There are others that come up periodically.

The bill, when it came up on the Senate floor, was first objected to on the grounds that it would give too broad an authority to the Secretaries of the two departments, and it might be possible to defeat the intent of Congress by transferring some national-forest lands to military reservations and vice versa.

Therefore, an amendment was proposed on the Senate floor to the effect that any proposed interchanges by the Secretaries would have to be submitted to the Congress and be before the Congress for 45 days before they could become effective. This would give the Congress the final say on any proposed exchanges.

With that amendment, the Senate passed the bill.

I think that is essentially it, Mr. Grant. If this more general legislation is not enacted, the alternative to that is to come before the committee with special bills on each one of these particular situations as they arise.

Mr. GRANT. Well, in brief, when the Department of Agriculture controls land in national forests which is more valuable for national defense, that it can be turned over to the Department of Defense, and where, for instance, the Department of Defense has flooded acres or reservoirs and something else could be used by the Department of Agriculture, it is turned over?

Mr. CRAFTS. That is what we would like to do, just an interchange.

Mr. MATTHEWS. Mr. Chairman, I have a personal observation. I personally am glad to see the reservation that was placed in the Senate bill in the form of an amendment. I am not too sure of the background of this problem.

I have an idea that, scattered throughout the United States, there is a tremendous amount of acreage that was taken over by the Defense Establishment prior to World War II.

I know in my own district that is true. The owners of that property, some of them were very glad to get the money that the Government paid them, but they are now desirous of getting that land back. There were others who contributed the land purely from the standpoint of public interest and made a real sacrifice.

"I, for one, think that the time ought to come before too long when Congress should establish a policy about these lands. I cannot fore-

see a time when the military will ever have any reason for needing them. Those lands would be in an entirely different category from our forest lands.

I know in my own particular district there would be probably 2 or 3 areas rather close to the national forests that the military might not ever need, and if they do not need them, I would like to see the private owners given some consideration.

I understand that the position now of the Government is that they offer those lands for public bid. Be that as it may, with this reservation, I can see that we would have some control over each individual transfer.

Mr. CRAFTS. I think Congress would have complete control of any interchange under the Senate amendment. I think I understand what you are talking about, Mr. Matthews, and I think these are situations that are somewhat different from those you describe.

For example, here is one on this map that may be hard for you to see. It is the one in Arkansas. These yellow lands are those that were acquired by the Corps of Engineers preparatory to building the reservoir. A great deal of what is shown in yellow here is now flooded. The green lands are the national-forest lands and you can see how they are all mixed up. Most of what is yellow is under water and will be permanently flooded. But above the flow line, there are these intermixed situations, like here and here.

The idea is to run a line around the reservoir and get rid of the yellow land above that line by turning that land over to the national forest and get rid of the national-forest lands below the yellow line.

Mr. MATTHEWS. I see.

Mr. GRANT. Thank you very much, sir.

At this point we will place in the record the report from the Department on this bill.

(The report referred to follows:)

[S. Rept. No. 2152, 84th Cong., 2d sess.]

The Committee on Agriculture and Forestry to whom was referred the bill (S. 2572) to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill, which was requested by the Department of Agriculture, authorizes the interchange of national forest lands with military department lands within or adjacent to national forests.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D. C., July 13, 1955.

THE PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: Enclosed herewith for the consideration of the Congress is a suggested draft of a bill to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

The proposed bill would authorize the Secretary of Agriculture and the Secretary of a military department of the Department of Defense, when mutually agreed upon and when in the public interest, to exchange lands or interests in lands under the administration of their respective departments. Lands received in exchange by the Secretary of Agriculture would become national forest lands subject to the laws applicable to lands acquired under the act of March 1, 1911

(36 Stat. 961), as amended. Lands received in exchange by a military department would thereafter be subject only to the laws applicable to other lands within the military installation or other public works project for which the lands are required.

At present, authority for the interchange of lands between these Departments is entirely inadequate. The Department of Defense in its flood control, reservoir construction, and military activities sometimes administers land partly or wholly within national forest boundaries, and often intermingled with land of national forest status. Occasionally such land is no longer needed by the Defense Department and it may be administered more efficiently and economically by transfer to national forest status and Department of Agriculture administration. On the other hand, the Department of Agriculture in its national forests sometimes controls land which is more valuable for national defense activities.

Authority to exchange or transfer federally owned land administered by these two Departments will provide improved service to the public through facilitating increased efficiency of administration and protection, and eliminating or decreasing undesirable duplication and intermingling of jurisdiction. Three cases, illustrating where the proposed authority is needed, are now pending and may be set forth in brief as follows:

1. Clark Hill Reservoir project within the Sumter National Forest, S. C. Transfer to Defense 1,758 acres of national forest land flooded by a newly created Army reservoir. Transfer to Agriculture 2,039 acres of land, which is intermingled with national forest land, most valuable for national forest purposes and which can be administered more economically by the Department of Agriculture.

2. Hunter-Liggett Military Reservation, Los Padres National Forest, Calif. Transfer to the Army 39,000 acres of national forest land needed by the Army for military purposes as part of the Hunter-Liggett Military Reservation. Transfer to Agriculture about 30,000 acres of Hunter-Liggett land within or adjacent to the Los Padres National Forest and most valuable for national forest purposes.

3. Blakely Mountain Reservoir, within the Ouachita National Forest, Ark. Lands acquired by the Department of Defense and the Department of Agriculture within this area are now badly intermingled. A boundary line around the reservoir satisfactory to both Departments has been discussed and could be agreed upon. On one side of this line all national forest land would be transferred to Defense for use by the Army in connection with its reservoir operation. On the other side, all Defense Department land would be transferred to national forest status and administered by Agriculture.

The draft bill would provide authorization only and its application would be dependent on concurrence by the Secretaries of Agriculture and of the military department concerned. Activation of the legislation would not increase the federally owned acreage, but would merely transfer jurisdiction between Federal departments when such action would provide increased economy and efficiency of administration.

The proposed legislation has been discussed with the Department of Defense and it is believed would be supported by that Department.

The Bureau of the Budget advises that there is no objection to the submission of the proposed legislation to the Congress for its consideration.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

Mr. GRANT. Congressman Teague?

STATEMENT OF HON. CHARLES M. TEAGUE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. TEAGUE. I am Charles Teague, representing the 13th Congressional District of California.

I can add very little to the excellent statement that Mr. Crafts has made. He has explained the bill. I have been unable to ascertain any objection to the legislation.

As you gentlemen know, it has been passed by the Senate. I think the qualification or amendment the Senate inserted was desirable.

I am particularly interested, insofar as this legislation would apply to my area in California. We have in my district hundreds of

thousands of acres, I believe, owned by the Federal Government in one capacity or another and only used to a somewhat limited extent for military purposes.

Under this legislation, as Mr. Crafts has explained, the Secretary of Defense and the Secretary of Agriculture would be authorized to exchange lands. If that exchange were made, it would open up some 30,000 acres or so of particularly beautiful parts of California for recreational purposes.

As you gentlemen can well understand, Mr. Matthews touched on this subject, it is a little hard for people in an area to be reconciled to having thousands and thousands of acres taken off the public tax roll, and yet not utilized. This situation would authorize the opening up of a large tract of land to the public, as it should be, in accordance with our whole program of utilizing our wilderness areas.

So I most strongly urge that this legislation be acted upon favorably.

Mr. GRANT. Thank you very much.

Mr. TEAGUE. Thank you for your courtesy, Mr. Chairman.

Mr. MATTHEWS. We are glad to have had you here.

Mr. GRANT. Mr. Matthews?

STATEMENT OF HON. D. R. (BILLY) MATTHEWS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. MATTHEWS. Mr. Chairman, I appreciate this opportunity to testify on behalf of my bill, H. R. 7537, and I hope as a result of the hearings on this bill, and other legislation, providing for better recreational opportunities in our national forests, we can report a bill that will help to solve this problem.

As you know, the problem of adequate funds for recreational facilities in our national forests has been a problem which has been before the Congress for many years, and for which as yet no satisfactory solution has been found. The problem becomes more serious with the passing of each year.

In a recent statement, the chairman of our subcommittee, Mr. Grant, stated:

The Forest Service estimates that there will be 50 million visitors to the national forests this year, compared with 30 million 5 years ago, and a prewar level of approximately 18 million per year.

Our citizens who go to the national-forest areas for recreational purposes will find in the main facilities which have been constructed during the late 1930's, largely by CCC workers, and designed to care for only a small part of the great number of people who are now visiting our national forests.

With other members of our subcommittee, I made a trip this past summer to some of our great national forests in the Far West. We visited in the States of Colorado, Utah, Idaho, Oregon, Washington, and California.

I, of course, am familiar with other national forests, especially those in Florida, including the Osceola National Forest in my own Eighth District of Florida. Without an exception, I found the Forest Service valiantly trying to take care of the recreation demands, but faced with the facilities that were hopelessly inadequate and deteriorated to a point beyond repair in many areas.

As an example, in the Osceola National Forest in my district, on the shores of a beautiful lake called Ocean Pond, for many years there was a recreation building available for the public. However, the building was in such a deteriorated state that it had to be demolished. Many hundreds of people in my particular district had enjoyed the facilities offered by this building, and many times they have asked me if something could not be done to provide some facilities.

I want to thank the Forest Service for attempting a cooperative project, so far not completed, between the Board of County Commissioners of Baker County, which is near the recreational area, and the Forest Service.

In many areas of our country I know these cooperative plans have been successful and have resulted in expanded recreational opportunities.

The tragic fact is, however, Mr. Chairman, that we can no longer rely on a hit-or-miss proposition. We simply must have an overall policy and program centrally directed by the Forest Service and adequately financed so as to provide reasonable facilities for the many millions of people who enjoy our national forests each year.

It should be emphasized that our problem is not merely one of convenience, and the pleasure of the persons using the national forests for recreation, but larger problems are the protection of the forests, the wildlife, and essential water supplies from damage, dissipation, or pollution by those who are rightfully or lawfully using the forests for recreational purposes.

One of these days we are going to wake up in America to find that many areas of our forests cannot be used because of sanitation problems.

Let us keep in mind, too, that we are not only thinking about sanitation from the standpoint of those who enjoy the forests, but we are also thinking about the health of many millions of Americans who have to use the water from our forests for their water supply, and they must be protected.

The problems of fire, the maintenance of wildlife population, and many other similar problems demand, for their solution, carefully planned recreational areas in our national forests with proper supervision and with adequate facilities.

Long before I came to Congress, many Members clearly recognized this problem, and over the past 7 or 8 years there has been a constant effort to work out a solution as to how funds might be adequately provided to meet the needs.

Let me state in all fairness that the Appropriations Committees and the Congress have not been ungenerous in this respect. But with so many demands upon the financial resources of the Nation, and with so many items vital to the security and welfare of the Nation requiring tremendous appropriations, it is only natural that the appropriations for the purpose of providing adequate facilities for recreational users of the national forests have never been sufficient to do the job.

Beginning several Congresses ago, bills designed to provide these funds and solve this perplexing problem were introduced in Congress. At first these bills took the simple form of providing that a certain percentage of all the receipts of the national forests should be set aside into a special fund to be used for the development, maintenance, and operation of recreational facilities within the national forests. This

was a simple and effective plan, and there was precedent for it in laws, providing for the setting aside of a part of the Forest Service receipts for other special purposes.

For example, we know that Congress has provided that an amount equal to 25 percent of the gross receipts from the national forests be paid each year by the United States Treasury to the States for distribution to counties containing national-forest lands.

In addition to these direct cash payments to the States, Congress has provided that 10 percent of the national-forest receipts be made available each year for expenditures on forest roads and trails in the States of origin. Many persons have objected to this approach in principle, however, believing that the policy of establishing special funds which can be spent without further approval of Congress, and of establishing permanent appropriations, is not the best governmental procedure.

Most of the major conservation groups and organizations in the country alined themselves solidly behind this approach, and I, myself, during the 1st session of the 84th Congress, introduced H. R. 4994, which follows this approach.

By the terms of this bill, there is set an amount equivalent to 10 percent of the moneys received from the national forests for each fiscal year, but not to exceed \$5,500,000 in any year, which is to be set apart in the Treasury as a special fund and would be spent under such regulations as the Secretary of Agriculture may prescribe for the development, maintenance, and operation within the national forests for facilities and areas for recreational use; to improve and maintain wildlife habitat on the national forests, and to provide for adequate safety, sanitation, and health in connection with uses of the national forests.

Several of my colleagues have introduced similar bills, and I am indebted to our colleague, Mr. Baker, of Tennessee, for giving me information about this particular approach to the problem.

These bills have never been approved by Congress, and for several years now there has been a virtual stalemate as it has been so far impossible to secure favorable action on this type of legislation.

I want to make it clear, however, that I still look with favor on this type of legislation, if we can get favorable action and I want to emphasize again that my bill, H. R. 4994, represents that kind of approach to this great problem.

As an alternative to this type of approach, there were introduced in the 82d Congress bills which would have established some kind of fee system whereby the users of the national forest for recreational purposes would have paid a small fee, and by their aggregate contributions have provided the funds for maintaining additional facilities.

These bills, too, encountered the valid objection that they gave the Forest Service what amounted to a taxing power, and turned over to it funds for expenditure without the necessity of presenting a budget to the Congress and receiving approval of their plans.

These bills were also objected to by certain groups, who have said that they were opposed to having to pay anything, no matter how small, for the use of facilities in the national forests.

Since then, intermittent conferences have gone on almost constantly between the staff of the Committee on Agriculture, and the various groups, agencies, and individuals interested in this problem.

A number of compromise bills were developed seeking to resolve the differences in viewpoint which heretofore have prevented effective

legislative action. Limitations have been put on the amount of money which could be accumulated in this special fund, requirements have been included that the Forest Service should have to seek an appropriation each year, even though the money were coming from a special fund, and other licensing provisions and campfire-permit provisions have been advanced.

The bill which I am now discussing, H. R. 7537, is not by any means an entirely new approach to the subject but is, rather, I believe, a refinement and development of the many proposals which have heretofore been made.

The bill will authorize and direct the Secretary of Agriculture to establish a fee for the use of recreational facilities in the national forests.

It requires the Secretary to set the fee annually at a level which he estimates will reimburse the Treasury for appropriations made for the development, maintenance, and operation of these recreational facilities. The money will not go into a special fund; it will be covered into the Treasury as miscellaneous receipts, along with other Government income.

The Forest Service will not have any fund available for expenditure without accounting to Congress. On the contrary, the Forest Service will seek and obtain its appropriations for recreational facilities in the usual budgetary manner, but the Committee on Appropriations and the Congress will have the assurance when the appropriation is made that there will be no actual cost to the taxpayer and that every dollar appropriated for this purpose will be reimbursed to the Treasury by the special license fee established and collected by the Forest Service.

I have confidence enough in our Committee on Appropriations to believe that they will recommend, and the Congress will approve, an amount for recreational facilities in our national forests equivalent to the amount each year which is collected by the Secretary of Agriculture through the special fees.

I know that there will be those who will protest against the imposition of any fee or license for the use of what is regarded as general public property. I will not be impressed by these objections, however.

It is not intended that there shall be a fee imposed for access to the national forests, but only for the use of certain facilities which are provided therein for campers and others using the forests for recreational purposes.

To my way of thinking, there is no more democratic way of doing business than to provide that those who use and enjoy special benefits and facilities should pay the major part of the cost of those facilities.

I can see no reason why the taxpayer in Maine or New York City or Miami who may never have any opportunity of going into the national forests should bear any part of the cost of providing special facilities for me, and others like me, who do want to go into the forest and engage in fishing, hunting, and other recreational activities. On the contrary, it seems quite plain to me that those of us who want to use these facilities should be willing to bear the cost of their development and maintenance.

I think that every American who enjoys and loves the forests enough to want to get out into them will be proud and happy to have

an opportunity to pay the small fee which will be assessed, and know that he is doing his part to provide the facilities that he uses, and to protect the forests and the watersheds against unnecessary damage.

Nor am I impressed by the protests that I assume will come from some sportsmen that here is another fee being added to the backs of the fishermen or the hunter.

I have bought enough trout flies and bass plugs and shotgun shells in my life to know that the 50 cents or dollar fee per year that a sportsman may be asked to pay to maintain national forests recreational facilities is going to comprise such a small part of his recreational budget that he will have forgotten about it by the time he makes the next trip to the sporting goods store.

I have not discussed my bill in detail with the Forest Service, so I certainly do not pretend to commit that fine organization as to how it will administer the bill in case it should become law. As I see it, however, the licenses required by the bill would be in most cases a windshield sticker that could be affixed to the automobiles of those using the forest facilities.

The price of the license would depend, of course, upon the amount of the appropriation and the estimated number of persons using the facilities. My best rough estimate at the present time is that when the program got into full operation, the fee would be somewhere between 50 cents and \$1 per automobile.

What a small amount to ask our people to contribute to such a great project. If only 5 million of the people who use the national forests this year would pay \$1 apiece, we would have an amount of \$5 million and it is a pleasing picture to project into the future about what could be done in our national forests if we had \$5 million a year extra to use for recreational facilities.

Now, Mr. Chairman, I want to emphasize that it is not my intention that a fee should be charged those people who, en route from one place to another, merely pass through the national forests, even though they should stop along the road for a picnic or other casual use of the forest.

It is intended that the license and the fee should apply to those who use special facilities, such as a camping site to camp out at night in the forest, or to those who fish or who go there for skiing or hunting, or similar recreational activities that require more than an ordinary amount of supervision and maintenance.

It might be desirable that the criterion as to when a license is required might be determined on the basis of whether or not the person was staying overnight within the forest.

In the report of the Chief of the Forest Service in 1953, the last published report up to the time of this hearing, we read this statement:

The policy of making a moderate charge for the use of the camping, picnicking, and swimming facilities was continued at some 45 of the larger, better improved camp and picnic areas.

— In other words, we have a precedent for this idea of making a modest charge for the use of special facilities.

On my trip throughout the Far West this past summer, I talked informally to members of the Forest Service, and I want to express the high estimate that I have of these splendid people. Their morale was excellent, and I found that they were doing a magnificent job.

Many of them expressed concern to me about my bill because they were worried about the amount of work it would require of the Forest Service, and they were fearful they would not be able to supervise properly the recreational areas. However, it should be pointed out that if we had more money for recreational facilities, there would be more money available for personnel to give proper supervision.

I want to emphasize also that my plan is elastic and there is no rigidity in the formula, so techniques could be formulated in line with the thinking of the Forest Service to insure the best possible course of action for the benefit of our people.

I want to say very frankly also that in several areas in the West there were chambers of commerce and groups of sportsmen who lived close to the national forests who did not like the idea of charging anybody a fee for using these special facilities.

To these fine Americans I replied that it was difficult for me to see why they who had the forests so close by could possibly object to a small fee of \$1 a year, and that I thought the money that would come to the forests for increased recreational facilities would actually bring many more visitors to their communities from other parts of the country, and would result in increased prosperity. These visitors would buy more fishing equipment and other paraphernalia that would be used in the improved recreational areas.

Mr. Chairman, I believe if we could get the kind of a national-information program behind a fee system for the use of our forests, such as the great program of Smokey the Bear to eliminate forest fires, that we could well instill in the hearts of our people a desire to buy these stickers to prove their interest in our great national forests.

As I visualize it, the license stickers would be on sale very generally in sporting goods stores, general stores, courthouses, and other public agencies, in similar convenient locations within reach of all the national-forest areas. Special provision should be made in the Secretary's rules and regulations for parties which travel by bus, or in some manner other than by private automobile.

There is no intention in this bill to turn forest rangers into policemen, and in my opinion, the policing job would be very slight. I cannot conceive of any red-blooded American who likes to use and enjoy our national forests objecting to paying a very nominal fee, so small that it wouldn't even cover the cost of one motion-picture show here in metropolitan Washington, for the purpose of developing and maintaining the facilities he enjoys.

Personally, I would be glad to have the privilege of buying such a license each year, even if I were not fortunate enough to get to make use of it, and I want to repeat again that I believe, with the proper public-relations program back of this idea, that those who buy the stickers or the license would be proud to have the opportunity.

Thank you very much for this privilege of presenting these thoughts before you and your subcommittee.

Mr. GRANT. Thank you very much, Mr. Matthews.

(Whereupon, at 12:10 p. m., the subcommittee recessed, subject to the call of the Chair.)

(The following communication was submitted to the subcommittee for inclusion in the record:)

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
HOUSE OF REPRESENTATIVES,
OFFICE OF THE CHAIRMAN,
Washington, D. C., July 10, 1956.

HON. HAROLD D. COOLEY,
Chairman, House Committee on Agriculture,
Washington, D. C.

MY DEAR MR. CHAIRMAN: It has come to my attention that the Senate, on June 19, 1956, approved S. 2572, a bill to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes, and that this bill is set for early final disposition by your committee.

I am somewhat concerned about the provisions of S. 2572 for several reasons and urge that in your disposition of the bill you consider the reasons for that concern as set out following.

The bill would permit the Department of Defense and the Department of Agriculture to interchange land holdings to their mutual benefit. It is my understanding that the interchange will make possible more efficient management of national-forest holdings by Agriculture, and at the same time permit the Department of Defense to carry out in a more orderly manner its mission. Needless to say, all Members of Congress are desirous of accomplishing these ends.

Section 2 of the bill provides that national-forest lands transferred to the Military Establishment would become subject to the laws relating to lands within the project affected. It further provides that any military lands transferred to national forest status would be subject to the laws applicable to lands acquired under the Weeks Act of March 1, 1911 (36 Stat. 961), as amended.

During the past 6 months the committee, which I serve as chairman, has conducted detailed and intensive hearings into the policies and procedures affecting the utilization of the public lands of the United States. As a result of the facts established during the first 4 months of those hearings, I introduced H. R. 10371, a bill to provide that withdrawals or reservations of more than 5,000 acres of public lands of the United States for certain purposes shall not become effective until approved by act of Congress. Twelve other bills having the same general purpose were introduced by other Members. This proposed legislation is aimed at returning to the Congress, and more particularly to the committees of Congress having direct legislative responsibility for the public domain of the United States, the authority vested exclusively in the Congress under the Property Clause of the Constitution, "* * * to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; * * *."

As your committee is aware, under rule XI of the House of Representatives, proposed legislation dealing with "forestry in general, and forest reserves other than those created from the public domain" is the responsibility of the Committee on Agriculture; by the terms of the same rule, legislation involving "forest reserves * * * created from the public domain" is the responsibility of the Committee on Interior and Insular Affairs.

I interpret S. 2572, as it passed the Senate, to apply not only to acquired military lands and acquired national-forest lands but to apply as well to lands included within "forest reserves created from the public domain" as well as military lands withdrawn or reserved from the public domain. I assume, therefore, that the intent of the bill is to limit the authority to the interchange of acquired lands, and, of course, there would seem to be no objection insofar as the status of public domain lands is involved. The language of the bill suggests that this may be the objective, particularly in view of the reference to the Federal Property and Administrative Services Act of 1949.

However, if public domain lands would be involved in light of the record my committee has made during the past 6 months, I must object to the provisions of the bill since S. 2572, in its present form, would effect changing the status of public-domain lands in a transfer to acquired land status. This would take such lands out of the jurisdiction of the public-land mining and mineral-leasing laws as well as other public-land laws at a time when the demands for maximum multiple use of the resources of the public domain are at an unprecedented peak. If and when such lands became excess to the using agency, they would become subject to the Federal Property and Administrative Services Act rather than to disposition under the public-land laws.

I do not believe that it is desirable to complicate the administration of the public domain by introducing a system whereby public-land laws can be changed

to acquired land status by administrative means in the absence of very compelling reasons for such a major change in the public-land policy of the United States. I do not understand that such compelling reasons presently exist.

Further—and this point is of very real concern to me, and I am sure to a vast majority of Members whose States contain military reservations and national-forest lands created from the public domain—it appears that S. 2572 would permit the Department of Defense to do indirectly what H. R. 10371 would prohibit the Defense Department doing directly, viz, acquiring additional lands for defense purposes without requiring an act of Congress where such lands exceed 5,000 acres in area, and without affording local interests, the Department of the Interior, and the Interior Committees of the House and Senate to weigh the impact of such acquisition on multiple-resource conservation, development, and utilization. In addition to the fact that Forest Service uses and Defense uses in many instances represent very substantial limited-purpose-use lands presently in public-domain status, would, by such a device, when declared excess to the needs of the holding agency, be disposed of under the 1949 act and would be lost forever to public use under the public-land laws.

I trust that you will recognize the very real concern which I share with a number of my western colleagues with respect to this proposed legislation. If my assumption is correct that it is intended the bill involve only acquired lands, then I would suggest that it may be clarified by an amendment to make it clear that the bill would only pertain to acquired lands. This can be accomplished by inserting the word "acquired" preceding the word "national" in line 3, page 1 of the bill, and by inserting the word "acquired" preceding the word "lands" in line 5.

I would appreciate your committee considering the foregoing when you meet to dispose of S. 2572, now pending in your committee.

Very truly yours,

CLAIR ENGLE, *Chairman.*

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Date	Time	Place	Wind	Sea	Remarks
1891					
Jan 1	0800	Off Cape Cod	SE 10	3	Clear
Jan 2	0700	Off Cape Cod	SE 10	3	Clear
Jan 3	0700	Off Cape Cod	SE 10	3	Clear
Jan 4	0700	Off Cape Cod	SE 10	3	Clear
Jan 5	0700	Off Cape Cod	SE 10	3	Clear
Jan 6	0700	Off Cape Cod	SE 10	3	Clear
Jan 7	0700	Off Cape Cod	SE 10	3	Clear
Jan 8	0700	Off Cape Cod	SE 10	3	Clear
Jan 9	0700	Off Cape Cod	SE 10	3	Clear
Jan 10	0700	Off Cape Cod	SE 10	3	Clear
Jan 11	0700	Off Cape Cod	SE 10	3	Clear
Jan 12	0700	Off Cape Cod	SE 10	3	Clear
Jan 13	0700	Off Cape Cod	SE 10	3	Clear
Jan 14	0700	Off Cape Cod	SE 10	3	Clear
Jan 15	0700	Off Cape Cod	SE 10	3	Clear
Jan 16	0700	Off Cape Cod	SE 10	3	Clear
Jan 17	0700	Off Cape Cod	SE 10	3	Clear
Jan 18	0700	Off Cape Cod	SE 10	3	Clear
Jan 19	0700	Off Cape Cod	SE 10	3	Clear
Jan 20	0700	Off Cape Cod	SE 10	3	Clear
Jan 21	0700	Off Cape Cod	SE 10	3	Clear
Jan 22	0700	Off Cape Cod	SE 10	3	Clear
Jan 23	0700	Off Cape Cod	SE 10	3	Clear
Jan 24	0700	Off Cape Cod	SE 10	3	Clear
Jan 25	0700	Off Cape Cod	SE 10	3	Clear
Jan 26	0700	Off Cape Cod	SE 10	3	Clear
Jan 27	0700	Off Cape Cod	SE 10	3	Clear
Jan 28	0700	Off Cape Cod	SE 10	3	Clear
Jan 29	0700	Off Cape Cod	SE 10	3	Clear
Jan 30	0700	Off Cape Cod	SE 10	3	Clear
Jan 31	0700	Off Cape Cod	SE 10	3	Clear

84TH CONGRESS
2D SESSION

S. 2572

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 1956

Referred to the Committee on Agriculture

AN ACT

To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture with respect to national
4 forest lands and the Secretary of a military department with
5 respect to lands under the control of the military department
6 which lie within or adjacent to the exterior boundaries of a
7 national forest are authorized, subject to any applicable pro-
8 visions of the Federal Property and Administrative Services
9 Act of 1949, as amended, to interchange such lands, or any
10 part thereof, without reimbursement or transfer of funds

1 whenever they shall determine that such interchange will
2 facilitate land management and will provide maximum use
3 thereof for authorized purposes: *Provided*, That no such
4 interchange of lands shall become effective until forty-five
5 days (counting only days occurring during any regular or
6 special session of the Congress) after the submission to the
7 Congress by the respective Secretaries of notice of intention
8 to make the interchange.

9 SEC. 2. Any national forest lands which are transferred
10 to a military department in accordance with this Act shall
11 be thereafter subject only to the laws applicable to other
12 lands within the military installation or other public works
13 project for which such lands are required and any lands
14 which are transferred to the Department of Agriculture in
15 accordance with this Act shall become subject to the laws
16 applicable to lands acquired under the Act of March 1, 1911
17 (36 Stat. 961), as amended.

Passed the Senate June 19, 1956.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

JUNE 20, 1956

Referred to the Committee on Agriculture

ART ACT

THE ACT OF 1901, AS AMENDED, FOR THE
PROTECTION OF THE ARTISTS AND
AUTHORS OF LITERARY AND ARTISTIC
WORKS.

CHAPTER 108, ACTS OF THE 56TH CONGRESS.

84TH CONGRESS
2D SESSION

H. R. 11895

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 1956

Mr. TEAGUE of California introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture with respect to national
4 forest lands and the Secretary of a military department with
5 respect to lands under the control of the military department
6 which lie within or adjacent to the exterior boundaries of a
7 national forest are authorized, subject to any applicable pro-
8 visions of the Federal Property and Administrative Services
9 Act of 1949, as amended, to interchange such lands, or any
10 part thereof, without reimbursement or transfer of funds

1 whenever they shall determine that such interchange will
2 facilitate land management and will provide maximum use
3 thereof for authorized purposes: *Provided*, That no such
4 interchange of land shall become effective until forty-five
5 days, counting only days occurring during any regular or
6 special session of the Congress, after submission to the Con-
7 gress by the respective Secretaries of notice of intention to
8 make the interchange.

9 SEC. 2. Any national forest lands which are transferred
10 to a military department in accordance with this Act shall
11 be thereafter subject only to the laws applicable to other
12 lands within the military installation or other public works
13 project for which such lands are required and any lands
14 which are transferred to the Department of Agriculture in
15 accordance with this Act shall become subject to the laws
16 applicable to lands acquired under the Act of March 1, 1911
17 (36 Stat. 961), as amended.

84TH CONGRESS
2^D SESSION

H. R. 11895

A BILL

To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

By Mr. TEAGUE of California

JUNE 21, 1956

Referred to the Committee on Agriculture

A BILL

For a national health insurance system, to be known as the Department of National Health Insurance, and for other purposes.

To Mr. Speaker, U. S. House of Representatives.

Enacted at the City of Washington, D. C., this 1st day of January, 1912.

July 2, 1956

SURPLUS COMMODITIES.

16. S. 3903, to increase the amount under title 1 of the Agricultural Trade Development and Assistance Act, was made the unfinished business. pp. 10440, 10485
17. CCC BORROWING POWER. Sen. Ellender urged prompt consideration of S. 3820, to increase the borrowing power of CCC. p. 10440

HOUSE

18. RECLAMATION. Conferees were appointed on S. 1622, to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, S. Dak., of the Missouri River Basin project. Senate conferees were appointed on June 29. p. 10499
19. WATERSHEDS. Passed without amendment H. R. 11873, to decrease the Congressional review period of projects under the Watershed Protection and Flood Prevention Act from 45 days to 15 days. p. 10515
20. PENALTY MAIL. Passed as reported S. 1871, to extend the penalty mail Act to Extension Directors and Experiment Stations. p. 10509
21. POSTAL RATES. Agreed to a resolution providing for the consideration of H. R. 11380, to readjust postal rates and to establish a congressional policy for the determination of postal rates. p. 10546
22. FOREIGN AID. Conferees were appointed on H. R. 11356, the mutual security bill. Senate conferees were appointed June 29. p. 10533
23. LAND TRANSFERS. Passed as reported H. R. 8817, to provide for the transfer of certain lands to Corbin, Ky. p. 10514
The Agriculture Committee reported without amendment H. R. 9678, to provide for the transfer of the Baronof Castle site (formerly research land) to Sitka, Alaska (H. Rept. 2571). p. 10561
The Forests Subcommittee of the Agriculture Committee ordered reported to the full committee H. R. 11895, to authorize the interchange of lands between the USDA and the military departments of the Defense Department. p. 10726
24. FORESTRY. Passed without amendment H. R. 9339, to authorize the exchange of certain lands in Union County, Ga. for lands within the Chattahoochee National Forest, Ga. p. 10514
The Agriculture Committee reported without amendment S. 2517, to release certain Tongass National Forest receipts from escrow (H. Rept. 2568). p. 10561
25. MILK. Passed without amendment H. R. 11375, to further extend the special school milk program to certain institutions for the care and training of children whether or not underprivileged. p. 10515
26. SEED. Passed without amendment S. 1688, to remove the criminal penalty for inadvertent violations of the Federal Seed Act and to prescribe civil penalties for such violations of the Act. This bill is now ready for the President. p. 10516
27. COMMODITY EXCHANGES. Passed as reported H. R. 9333, to give to certain consuming processors of cotton the privilege of buying cotton futures contracts in certain cases. p. 10516
28. TRANSPORTATION. At the request of Rep. Ford, after some discussion, passed over S. 898, to amend the Interstate Commerce Act, with respect to the authority of

the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property. p. 10512

29. CONTRACTS. The Ways and Means Committee reported on June 30 with amendment H.R. 11947, to extend and amend the Renegotiation Act of 1951 (H. Rept. 2549). p. 10560
30. SOIL CONSERVATION. The Agriculture Committee reported without amendment H. R. 8321, to further extend the period of Federal administration of the ACP program from Jan. 1, 1957 to Jan. 1, 1959 (H. Rept. 2570). p. 10561
31. PERSONNEL. Passed without amendment S. 1542, to authorize an allowance for civilian officers and employees of the Government who are notaries public. This bill is now ready for the President. p. 10508
At the request of Rep. Gross, passed over S. 1815, to permit the exchange of employees of the USDA and employees of State-local political subdivisions or educational institutions. p. 10515
Passed without amendment H. R. 11923, to provide for the conferring of an award to be known as the Medal for Distinguished Civilian Achievement. p. 10519
The Executive and Legislative Reorganization Subcommittee of the Government Operations Committee ordered reported to the full committee H. R. 11515, to provide for the payment of travel and transportation costs of persons selected for appointment to certain positions in the U. S. and Alaska. p. D726
32. RECORDS. At the request of Rep. Cunningham, passed over S. 2364, to clarify authority over records management. p. 10499
33. WATER PLANTS. Passed without amendment H. R. 11636, to amend Chapter 3 of Title 18, U. S. Code, to provide penalties for the transportation, sale of, or advertising for sale, in interstate commerce, of water hyacinth plants, water chestnut plants, or alligator grass. p. 10505
34. BUILDINGS. Passed without amendment S. 3866, to facilitate the making of lease purchase agreements by GSA by deleting the requirement for approval of purchase contract agreements by the Director of the Bureau of the Budget and adding a requirement that the project statement by the Director shall be based on budgetary and related considerations, and not deemed to constitute approval of specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor. This bill is now ready for the President. p. 10510.
35. WEATHER. Passed without amendment S. 2913, to extend for two years (until June 30, 1958) the Advisory Committee on Weather Control. This bill is now ready for the President. p. 10510
36. RESEARCH; ORGANIZATION. Passed without amendment H. R. 11575, to provide for an Assistant Secretary for Research and Development for each of the three military departments within the Defense Department. p. 10524
37. FLOOD CONTROL. Passed with amendment S. 3272, to increase and make certain provisions in the general authorization for small flood control projects. A similar bill, H. R. 9555, was laid on the table. p. 10529

July 17, 1956

15. DAIRYING; POSTAL RATES. Sen. Wiley inserted correspondence from the dairy industry opposing increases in postal rates. p. 11800
16. LEGISLATIVE PROGRAM. Sen. Johnson announced that the Hells Canyon dam bill, Mutual Security appropriation bill, and executive pay bill will probably be considered this week; that there will be night sessions this week, and possibly a session on Sat., July 21; and that it is hoped that the business of this session can be concluded some time next week. pp. 11804, 11920

HOUSE

17. THE AGRICULTURE COMMITTEE ordered reported the following bills: p. D819
- S. 2246, to authorize the sale of certain lands to the city of Wells, S. Dak.
- S. 1089, to authorize the Secretary of Agriculture to sell at not less than the appraised value, and under such terms and conditions as he deems appropriate, lands in the national forests which are isolated parcels or narrow projecting strips, when he finds such lands suitable for private ownership and better adapted to commercial, agricultural, residential, or other private purposes than to national forest purposes.
- S. 4058, to extend for 10 years the lease of a tract of research station land to the Chicago, Milwaukee, St. Paul and Pacific Railroad Co.
- S. 2216, to amend the act of March 4, 1915, to permit the use and occupancy of national forest lands for industrial and commercial purposes, and by States or political subdivisions for constructing facilities for education or other public uses.
- H. R. 5275, to authorize FCIC to provide reinsurance on any crop or plantation insurance provided in Puerto Rico by a duly-authorized agency of the Commonwealth of Puerto Rico.
- H. R. 11958, to amend the acreage reserve provisions of the Soil Bank Act to permit inclusion of acreage up to 30 days prior to harvest.
18. MILITARY CONSTRUCTION; SURPLUS COMMODITIES. Passed without amendment H. R. 12270, to authorize certain construction at military installations. The bill authorizes the Secretary of Defense to use for family housing in foreign countries, foreign currencies not to exceed \$250 million acquired pursuant to the provisions of the Agricultural Trade Development and Assistance Act of 1954, or through other commodity transactions of the CCC. p. 11924 (This bill supersedes H. R. 9893, the military construction bill, which was vetoed by the President.)
19. FORESTRY. Received the conference report on H. R. 6376, to provide for the hospitalization and care of the mentally ill in Alaska, including a grant of not to exceed one million acres of public lands (includes lands eliminated from the national forests) (H. Rept. 2735). p. 11934
- Rep. Dixon spoke in support of H. R. 8898, to authorize the purchase of additional lands in the Cache National Forest, Utah. p. 12021
20. ATOMIC ENERGY. Rep. Holifield urged that increased effort be made to develop peaceful uses of atomic energy in the creation of low-cost electric power facilities. p. 12016
- The Rules Committee reported resolutions for the consideration of the following bills: P. 12028

H.R. 9743, to encourage maximum development of atomic energy reactors for the generation of low-cost electric power and the production, utilization, and treatment of special nuclear and other materials.

H.R. 12050, to amend the Atomic Energy Act of 1954, so as to provide Federal reinsurance on certain atomic energy reactors.

21. ELECTRIFICATION. Rep. Johnson, Wis., supported the construction of a Federally owned high dam at Hells Canyon, and inserted a newspaper column relative to this subject. p. 12021

The Interior and Insular Affairs Committee ordered reported S. 3338, regarding rates charged to public bodies and cooperatives for electric power generated at Federal projects. p. D819

22. TRANSPORTATION. Rep. Dixon spoke in support of S. 898, the trip-leasing bill, as being "absolutely essential to the efficient marketing of agricultural commodities." p. 12025

23. FARM LABOR. The Interstate and Foreign Commerce Committee ordered reported S. 3391, to provide for reasonable requirements regarding comfort, safety, etc., of the interstate transportation of migrant farm workers. p. D820

24. LANDS. The Interior and Insular Affairs Committee reported without amendment S. 3458, to grant leave of absence to homestead entrymen and to permit suspension of cultivation and improvement operations on homestead and desert land entries (H. Rept. 2737). p. 12028

The Agriculture Committee reported without amendment S. 2572, to authorize the interchange of lands between this Department and the military departments of the Defense Department (H. Rept. 2747). ~~p. 12028~~

25. RUBBER. The Armed Services Committee reported without amendment S. 3832, to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, O. (H. Rept. 2741). p. 12028

26. PERSONNEL. The Government Operations Committee reported with amendment H.R. 11515, to provide for the payment of travel and transportation costs for persons selected for appointment to certain Federal positions in the U. S. and Alaska (H. Rept. 2742). p. 12028

27. FLOOD INSURANCE. The Banking and Currency Committee reported with amendment S. 3732, to provide insurance against flood damages (H. Rept. 2746). p. 12028 (For a summary of the provisions of this bill as reported in the Senate, see Digest No. 72.)

28. GRAIN STANDARDS. The Agriculture Committee reported without amendment S. 1400, to protect the integrity of grade certificates under the U. S. Grain Standards Act by providing penalties for persons who knowingly sample grain improperly and for persons who knowingly load or otherwise handle grain deceptively for inspection under the Act (H. Rept. 2748). p. 12028

29. BANKING. The Rules Committee reported a resolution for the consideration of H. R. 11261, to extend, until June 30, 1963, the Export-Import Bank Act of 1945. p. 12028.

30. LABOR STANDARDS. The Rules Committee reported a resolution for the consideration of H. R. 11799, to amend the Fair Labor Standards Act of 1938 relative to minimum wages under Federal construction contracts in Samoa, Wake, and Guam Islands. p. 12028

INTERCHANGE OF MILITARY AND FOREST LANDS

JULY 17, 1956.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany S. 2572]

The Committee on Agriculture, to whom was referred the bill (S. 2572) to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to authorize the interchange between the Secretary of Agriculture and the military departments of lands which are situated within or adjacent to national forests, for the purpose of facilitating the management and use of the lands.

Hearings were held by this committee on H. R. 11895 by Mr. Teague, of California, which is identical to the bill (S. 2572) reported herewith. Both bills were introduced as the result of a request from the Department of Agriculture, concurred in by the Bureau of the Budget, for such legislation.

Following is the text of the Senate report:

The Committee on Agriculture and Forestry to whom was referred the bill (S. 2572) to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill, which was requested by the Department of Agriculture, authorizes the interchange of national forest lands with military department lands within or adjacent to national forests.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D. C., July 13, 1955.

THE PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: Enclosed herewith for the consideration of the Congress is a suggested draft of a bill to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

The proposed bill would authorize the Secretary of Agriculture and the Secretary of a military department of the Department of Defense, when mutually agreed upon and when in the public interest, to exchange lands or interests in lands under the administration of their respective departments. Lands received in exchange by the Secretary of Agriculture would become national forest lands, subject to the laws applicable to lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended. Lands received in exchange by a military department would thereafter be subject only to the laws applicable to other lands within the military installation or other public works project for which the lands are required.

At present, authority for the interchange of lands between these Departments is entirely inadequate. The Department of Defense in its flood control, reservoir construction, and military activities sometimes administers land partly or wholly within national forest boundaries and often intermingled with land of national-forest status. Occasionally such land is no longer needed by the Defense Department and it may be administered more efficiently and economically by transfer to national-forest status and Department of Agriculture administration. On the other hand, the Department of Agriculture in its national forests sometimes controls land which is more valuable for national defense activities.

Authority to exchange or transfer federally owned land administered by these two Departments will provide improved service to the public through facilitating increased efficiency of administration and protection, and eliminating or decreasing undesirable duplication and intermingling of jurisdiction. Three cases, illustrating where the proposed authority is needed, are now pending and may be set forth in brief as follows:

1. Clark Hill Reservoir project within the Sumter National Forest, S. C. Transfer to Defense 1,758 acres of national forest land flooded by a newly created Army reservoir. Transfer to Agriculture 2,039 acres of land, which is intermingled with national forest land, most valuable for national forest purposes and which can be administered more economically by the Department of Agriculture.

2. Hunter-Liggett Military Reservation, Los Padres National Forest, Calif. Transfer to the Army 39,000 acres of national-forest land needed by the Army for military purposes as part of the Hunter-Liggett Military Reservation. Transfer to Agriculture about 30,000 acres of Hunter-Liggett land within or adjacent to the Los Padres National Forest and most valuable for national-forest purposes.

3. Blakely Mountain Reservoir, within the Ouachita National Forest, Ark. Lands acquired by the Department of Defense and the Department of Agriculture within this area are now badly intermingled. A boundary line around the reservoir satisfactory to both Departments has been discussed and could be agreed upon. On one side of this line all national-forest land would be transferred to Defense for use by the Army in connection with its reservoir operation. On the other side, all Defense Department land would be transferred to national-forest status and administered by Agriculture.

The draft bill would provide authorization only and its application would be dependent on concurrence by the Secretaries of Agriculture and of the military department concerned. Activation of the legislation would not increase the federally owned acreage, but would merely transfer jurisdiction between Federal departments when such action would provide increased economy and efficiency of administration.

The proposed legislation has been discussed with the Department of Defense and it is believed would be supported by that Department.

The Bureau of the Budget advises that there is no objection to the submission of the proposed legislation to the Congress for its consideration.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

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Union Calendar No. 1119

84TH CONGRESS
2D SESSION

S. 2572

[Report No. 2747]

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 1956

Referred to the Committee on Agriculture

JULY 17, 1956

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To authorized the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture with respect to national
4 forest lands and the Secretary of a military department with
5 respect to lands under the control of the military department
6 which lie within or adjacent to the exterior boundaries of a
7 national forest are authorized, subject to any applicable pro-
8 visions of the Federal Property and Administrative Services
9 Act of 1949, as amended, to interchange such lands, or any
10 part thereof, without reimbursement or transfer of funds

1 whenever they shall determine that such interchange will
2 facilitate land management and will provide maximum use
3 thereof for authorized purposes: *Provided*, That no such
4 interchange of lands shall become effective until forty-five
5 days (counting only days occurring during any regular or
6 special session of the Congress) after the submission to the
7 Congress by the respective Secretaries of notice of intention
8 to make the interchange.

9 SEC. 2. Any national forest lands which are transferred
10 to a military department in accordance with this Act shall
11 be thereafter subject only to the laws applicable to other
12 lands within the military installation or other public works
13 project for which such lands are required and any lands
14 which are transferred to the Department of Agriculture in
15 accordance with this Act shall become subject to the laws
16 applicable to lands acquired under the Act of March 1, 1911
17 (36 Stat. 961), as amended.

Passed the Senate June 19, 1956.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

JUNE 20, 1956

Referred to the Committee on Agriculture

JULY 17, 1956

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 20, 1956
For actions of July 19, 1956
84th-2nd, No. 123

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HIGHLIGHTS: Senate committee reported nomination of Kermit H. Hansen to be FHA Administrator. Senate confirmed nominations of members of Commission on Increased Industrial Use of Agricultural Products. Senate rejected Hells Canyon dam bill. Senate began consideration of executive pay bill. Senate conferees appointed on Public Law 480 bill. House passed rubber research laboratory disposal bill. House agreed to Senate amendments to bill broadening law on practices in marketing perishable commodities. House passed bill authorizing certain land exchanges between USDA and Defense Department. House Rules Committee cleared flood insurance bill. (Continued on page 6)

HOUSE

1. RUBBER. Passed without amendment S. 3832, to provide for disposal of the Government-owned synthetic rubber research laboratories at Akron, O. This bill is now ready for the President. p. 12364
2. MARKETING. Agreed to Senate amendments to H. R. 5337, to amend the provisions of the Perishable Agricultural Commodities Act so as to eliminate the necessity of proving "fraudulent purpose" in connection with the misbranding of any perishable agricultural commodity, make misrepresentation of the "region of origin" a violation of the Act, authorize the Secretary of Agriculture to change the annual license fee from \$15 to any amount not in excess of \$25, enlarge the grounds for denial of a license to permit denial, under certain circumstances, permit suspension or revocation (instead of revocation only) of the license of any licensee who after proper notice continues to employ in a responsible position any person whose license or whose previous firm's license has been revoked or suspended (rather than revoked only) and restrict the Secretary's authority to permit such employment after 1 year to cases in which the revocation or suspension was for failure to pay a reparation award, and

extend the record inspection provision to permit such record inspection as may be required (a) to determine the ownership, control, packer, or State, county or region of origin in connection with commodity inspection or (b) to ascertain whether the record keeping provisions of the Act are being complied with; and to permit inspection of any lot of any perishable agricultural commodity covered by the Act. This bill is now ready for the President. p. 12366

3. FORESTRY. Passed without amendment S. 2572, to authorize the interchange of lands between this Department and the military departments of the Defense Department. This bill is now ready for the President. p. 12373
4. SOCIAL SECURITY. Conferees were appointed on H. R. 7225, to amend and revise title II of the Social Security Act. Senate conferees were appointed on July 17. p. 12364
5. FARM LABOR. The Interstate and Foreign Commerce Committee reported with amendment S. 3391, to provide for reasonable requirements regarding comfort, safety, etc., of the interstate transportation of migrant farm workers (H. Rept. 2810). p. 12398
6. FLOOD INSURANCE. The Rules Committee reported a resolution for consideration of S. 3732, to provide insurance against flood damage. p. 12398
7. WOOL IMPORTS. The Ways and Means Committee ordered reported (but did not actually report) H. R. 12227, to permit the duty-free importation of wool of a type used in the manufacture of carpets. p. D841
8. BUDGET; ACCOUNTING. The conferees agreed to file a report (but did not actually file a report) on S. 3897, to improve governmental budgeting and accounting methods and procedures. p. D841
9. FARM PROGRAM. Rep. Henderson criticized government controls on the farm economy and the Democratic administrations' farm policies. p. 12394
10. TARIFFS. The Ways and Means Committee reported with amendment H. R. 12254, to provide additional time for the Tariff Commission to review the customs tariff schedules (H. Rept. 2815). p. 12398
11. ELECTRIFICATION. Rep. Rogers urged that consideration be given to atomic energy electric power facilities in the New England area as a means of providing a cheap source of power and increasing the industrial potential of that area. p. 12395
12. FOREIGN AFFAIRS. Both Houses received from the President a report on U. S. participation in the United Nations Organization (H. Doc. 455); to Senate Foreign Relations and House Foreign Affairs Committees. pp. 12239, 12362
13. LEGISLATIVE PROGRAM. Rep. McCormack announced that the House will be in session on Sat., July 21, and that on Mon., July 23, the Consent Calendar will be called and also consideration of bills under suspension of the rules will be in order. p. 12374
14. NOMINATIONS. The Agriculture and Forestry Committee reported the nomination of Kermit H. Hansen to be Administrator of the Farmers' Home Administration. pp.

SENATE

newspapers stories of children who were entrapped inside refrigerators and ice boxes and were suffocated to death. In 1952, 14 such deaths were recorded, and in 1953, 26 deaths were recorded. From January 1954 to June 1956, the records show that there were at least 33 incidents of suffocation in household refrigerators, involving 54 children of whom 39 died. With the number of such deaths increasing each year, it is imperative that the Congress enact legislation to minimize these deaths insofar as possible.

The legislation here proposed to attack this problem is to require that all household refrigerators hereafter manufactured and shipped in interstate commerce shall be equipped with an effective device which will enable a child trapped inside to open the door.

Some opposition has been expressed to this legislation on the ground that most of these tragic accidents have occurred in abandoned ice boxes. This fact does not lessen the urgency of this legislation because the problem is not confined to abandoned ice boxes. There are instances where children have suffocated in refrigerators which were being defrosted or otherwise in use. Furthermore, the refrigerators that are being manufactured today may be the coffins of innocent children 15 years hence when these refrigerators will be abandoned. The Congress should not fail to act now because the effect of this legislation cannot be felt immediately.

No doubt publicity campaigns to make parents alert to the dangers of deaths in refrigerators are helpful, but they are inadequate to meet the problem. Likewise, State laws and local ordinances forbidding the abandonment of these potential death traps, without first removing the door or the door latch, are inadequate. The bill here being reported is essential to protect the lives of the innocent children of this Nation.

STANDARDS FOR SAFETY DEVICES

While many of the new refrigerators being sold today already are equipped with some type of safety device which will enable one to open the door from the inside, the reported bill does not prescribe any one device. Rather, it directs the Secretary of Commerce to prescribe commercial standards for such devices. The National Bureau of Standards of the Department of Commerce, with the cooperation of the refrigerator manufacturing industry, has been engaged for some time in experiments to determine the basic criteria of reasonable safety which manufacturers could incorporate in the design of their refrigerators for preventing the suffocation of children entrapped in refrigerators.

The committee is confident that satisfactory criteria can be developed which will be effective in saving the lives of children and yet not work undue hardship on the refrigerator manufacturing industry. In fact, 6 months ago the Department of Commerce advised a subcommittee of this committee that substantial accord had already been reached between representatives of the refrigerator manufacturing industry and the

National Bureau of Standards with respect to the criteria for such safety devices.

SECTION-BY-SECTION ANALYSIS OF REPORTED BILL

Section 1 would make it unlawful for any person to introduce or deliver for introduction into interstate commerce any household refrigerator manufactured 1 year after the date of enactment of this act, or thereafter, unless such refrigerator is equipped with a device which will enable a person entrapped inside to open the door easily.

Section 2 provides a penalty for violation of section 1 of this act. Upon conviction, a person shall be subject to imprisonment for not more than 1 year or a fine of not more than \$1,000, or both.

Section 3 directs the Secretary of Commerce to prescribe and publish in the Federal Register commercial standards for such devices, containing the basic criteria of reasonable safety which manufacturers of household refrigerators shall incorporate in the design and manufacture of such refrigerators for enabling the doors thereof to be opened easily by a person entrapped inside. These standards must be prescribed and published not later than 90 days after the enactment of this act.

Section 4 contains a definition of "interstate commerce."

Section 5 provides for the effective date of this act to be changed to allow the industry 1 year and 90 days from the date of publication of standards in the Federal Register by the Secretary of Commerce and a lifetime in the event of a change in said commercial standards first established.

HEARINGS

Hearings on this legislation were held on July 20 and 21, 1955, and May 28, 1956. These hearings were on H. R. 2181. H. R. 11969 was introduced as a clean bill to achieve the objectives sought by H. R. 2181.

INTERCHANGE OF LANDS BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE MILITARY DEPARTMENTS OF THE DEPARTMENT OF DEFENSE

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2572) to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Reserving the right to object, Mr. Speaker, this is an exchange of land between the military departments and the States; is that correct?

Mr. DORN of South Carolina. No. It is an exchange between the Corps of Engineers in the Defense Department and the Department of Agriculture, the Forest Service.

Mr. GROSS. How much acreage is involved?

Mr. DORN of South Carolina. I yield to the gentleman from California to answer that.

Mr. TEAGUE of California. In my particular area in California there are about 30,000 acres involved on each side. I am familiar with it. This is an entirely reasonable and fair exchange from a value standpoint. Further, the bill contains a provision that no such exchanges may be made without a 45-day notice to the Congress at a time when the Congress is in session.

The purpose of the bill is to open up additional areas, which are not now available for use for recreational purposes, to the public for fishing, hunting, or other recreational purposes. It does not involve any money.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture with respect to national forest lands and the Secretary of a military department with respect to lands under the control of the military department which lie within or adjacent to the exterior boundaries of a national forest are authorized, subject to any applicable provisions of the Federal Property and Administrative Services Act of 1949, as amended, to interchange such lands, or any part thereof, without reimbursement or transfer of funds whenever they shall determine that such interchange will facilitate land management and will provide maximum use thereof for authorized purposes: *Provided,* That no such interchange of lands shall become effective until 45 days (counting only days occurring during any regular or special session of the Congress) after the submission to the Congress by the respective Secretaries of notice of intention to make the interchange.

SEC. 2. Any national forest lands which are transferred to a military department in accordance with this act shall be thereafter subject only to the laws applicable to other lands within the military installation or other public works project for which such lands are required and any lands which are transferred to the Department of Agriculture in accordance with this act shall become subject to the laws applicable to lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL CIVIL DEFENSE ADMINISTRATION

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5435) to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Federal Civil Defense Administration to procure radiological instruments and detection devices, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection 201 (h) of the Federal Civil Defense Act of 1950, as

amended (64 Stat. 249), is further amended by adding the following proviso: "Provided further, That the administrator is authorized to procure under this subsection radiological instruments and detection devices, and distribute the same by loan or grant to the States for training and educational purposes, under such terms and conditions as the administrator shall prescribe."

(Mr. DURHAM asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DURHAM. Mr. Speaker, the purpose of H. R. 5435 is to give permanent legislative authority to the Administrator of the Federal Civil Defense Administration to procure radiological instruments and detection devices, and to distribute the same by loan and grant to the States for training and educational purposes.

The problem of detection and measuring radioactive fallout from nuclear explosions has become a major concern in the civil defense of the Nation. In approaching a solution to it, it is evident that there must be full coordination of our civil-defense resources at all levels of our Government.

Any of the civil-defense services—fire, police, rescue, welfare, warden, first aid—are likely to have to work in a contaminated area, and must have personnel trained and equipped to do the radiation monitoring.

The need for radiological defense is not restricted to the critical target area or even to the towns around them. With the possibility of fallout that could exist under a wide-scale attack, and under various weather conditions, every community in the United States must develop a radiological defense. This means training which cannot be done without instruments and, for this reason, instruments are the key to the whole problem.

There exists little proficiency in the evaluation of radiation hazards or in the operation of radiation instruments and the interpretation of their readings. At least 10 to 16 hours are required to train an instrument reader; 25 to 30 additional hours are required to train the radiological monitor who can interpret the instrument readings and recommend civil-defense actions.

The Civil Defense Administration proposes to bring the training programs into our school systems. It is believed that high-school science courses should include radiological defense subject matter and high-school science teachers should be capable of giving instruction in radiological monitoring. Consequently, if the radiological instruments can be made available to the high-school science departments a big step forward will have been made in getting this course of training initiated. Of course, in offering such training the Federal Civil Defense Administration will cooperate with the Atomic Energy Commission and with the Office of Education of the Department of Health, Education, and Welfare in the development of training programs to qualify the science teachers as instructors in radiological defense.

The Independent Offices Appropriations Act for fiscal year 1956 contained funds of approximately \$4 million, and with that amount this program has already been started. This bill merely

has the effect of giving permanent authorization for the purchase of these instruments in the future so that they can be loaned to the States for training purposes. The cost of the program for fiscal year 1957 is estimated to be \$5.3 million.

Mr. Speaker, it does little good for us to purchase civil-defense detection devices if we do not have adequately trained personnel throughout the Nation who can use these instruments. In case of an enemy attack it will be absolutely imperative that people throughout the country be trained in the use of radiological instruments in order to detect radioactive fallout from nuclear explosions. I urge all members to give favorable consideration to this legislation.

(Mr. OSTERTAG asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. OSTERTAG. Mr. Speaker, the purpose of this bill is to enable the Administrator of the Federal Civil Defense Administration to acquire and distribute radiological detection devices to the States for education and training purposes.

The importance of providing such authority, on a permanent basis, can hardly be overestimated. It would probably be desirable even if we were assured of peace, for radiation hazards may result from the industrial uses of atomic energy as well as from its use in weapons. But so long as the threat of war hangs over us, it is absolutely essential.

Radiation fallout from an A-bomb or an H-bomb can endanger life not only within the immediate vicinity of a detonation, but over an area of thousands of square miles. Federal Civil Defense Administrator Val Peterson estimates that the fallout from a single 20-megaton bomb would occur in dangerous quantities over an area of 8 to 10 thousand square miles. In the event of a full-scale attack, the dangers would be multiplied astronomically. The Army recently released estimates indicating that an atomic attack in relatively thickly settled areas of the world could result in several hundred million deaths, depending on which way the wind blew.

Against the dangers of this deadly peril, there is at present only one known protection—cover, deep cover, preferably, until the danger is past. And the only way to determine when the danger is past is through radiation detection devices.

To utilize and operate such devices over an area of several thousand, or as much as a million square miles would, of course, be beyond the capabilities of the Federal Government, even if it was disposed to take over the entire civil-defense organization.

As the President wisely observed, in his message to FCDA Administrator Peterson this week:

Civil defense can never become an effective instrument for human survival if it becomes entirely dependent upon Federal action. * * * The Federal Government must remain in partnership with States, cities, and towns. Only in this way can we obtain more citizen participation, more vigorous efforts by States, local governments, and metropolitan areas, and more readiness by

the Congress to support necessary civil-defense measures.

Mr. Speaker, the bill before you is designed to implement the radiation detection program within that framework of Federal-State-local cooperation. It is not intended to replace or eliminate the purchase by the States of radiological detection devices within their present civil-defense programs. It is intended to accelerate their programs, at both the State and local levels, however, so that cadres of radiological-detection personnel, trained and equipped, can be developed throughout the country.

Some work along these lines is already going forward as the result of temporary authority granted to FCDA in appropriations bills. This bill would make that authority permanent, so that FCDA can expand and accelerate its programs, in the interest of this Nation's safety. I hope it will be speedily enacted into law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSENT CALENDAR AND SUSPENSIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it be in order on Monday next to call the Consent Calendar, and that it also be in order for the Speaker to recognize Members to move to suspend the rules.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. NICHOLSON. Mr. Speaker, reserving the right to object, I want to ask about a bill that I have introduced. I wonder if I can bring it up under suspension of the rules, if the committee does not want me to do so.

Mr. McCORMACK. I will be glad to confer with my friend and give him the benefit of my advice and experience.

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, I would like to ask about the program for Saturday.

Mr. McCORMACK. I am unable to state now, but I am philosophically viewing the program after today. Tomorrow, when I see what develops, why then I will concentrate on Saturday.

Mrs. ROGERS of Massachusetts. Undoubtedly, we will work on Saturday.

Mr. McCORMACK. Oh, absolutely. I make that statement for all Members.

The SPEAKER. Is there objection?

There was no objection.

RE H. R. 8902

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. HESELTON] is recognized for 20 minutes.

Mr. HESELTON. Mr. Speaker, yesterday I outlined some of the reasons for opposing this legislation, beginning at page 12186.

At page 12190 I referred to the fact that a capital gains proceeding was begun by the Civil Aeronautics Board on April 6, 1956.

Public Law 804 - 84th Congress
Chapter 736 - 2d Session
S. 2572

AN ACT

To authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture with respect to national forest lands and the Secretary of a military department with respect to lands under the control of the military department which lie within or adjacent to the exterior boundaries of a national forest are authorized, subject to any applicable provisions of the Federal Property and Administrative Services Act of 1949, as amended, to interchange such lands, or any part thereof, without reimbursement or transfer of funds whenever they shall determine that such interchange will facilitate land management and will provide maximum use thereof for authorized purposes: *Provided*, That no such interchange of lands shall become effective until forty-five days (counting only days occurring during any regular or special session of the Congress) after the submission to the Congress by the respective Secretaries of notice of intention to make the interchange. 70 Stat. 656.
70 Stat. 657.
SEC. 2. Any national forest lands which are transferred to a military department in accordance with this Act shall be thereafter subject only to the laws applicable to other lands within the military installation or other public works project for which such lands are required and any lands which are transferred to the Department of Agriculture in accordance with this Act shall become subject to the laws applicable to lands acquired under the Act of March 1, 1911 (36 Stat. 961), as amended. Laws applicable.
16 USC 552.

Approved July 26, 1956.

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